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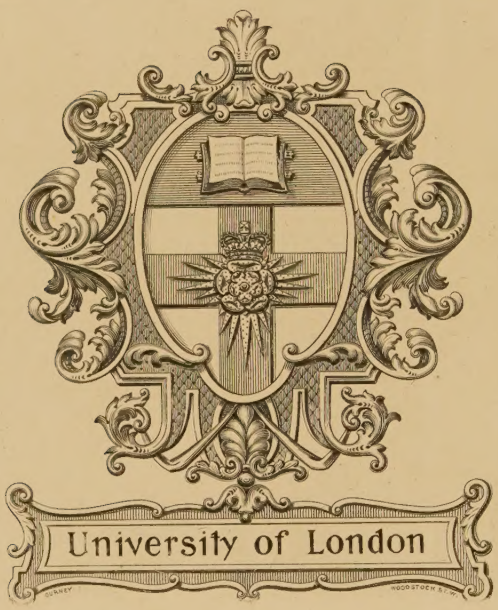

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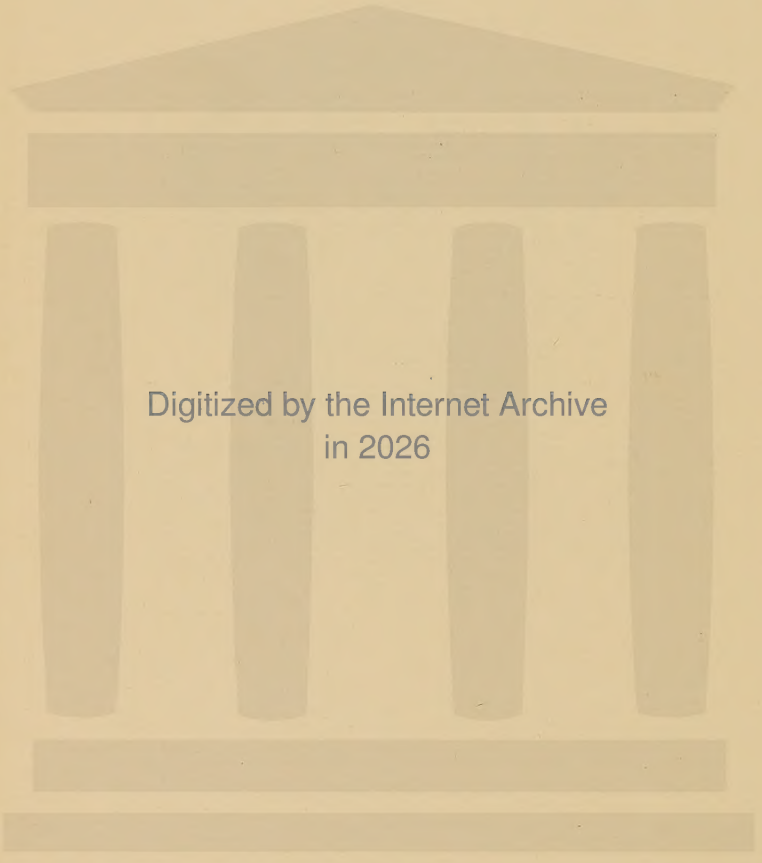
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HANSARD'S

PARLIAMENTARY DEBATES,

THIRD SERIES:

COMMENCING WITH THE ACCESSION OF

WILLIAM IV.

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52 & 53 VICTORIÆ, 1889.

VOL. CCCXXXVII.

COMPRISING THE PERIOD FROM

THE SEVENTEENTH DAY OF JUNE, 1889,

TO

THE NINTH DAY OF JULY, 1889.

Fifth Volume of the Session.

THE HANSARD PUBLISHING UNION, LIMITED,

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UNDER CONTRACT WITH H.M. GOVERNMENT.

1889.

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ERRATA.

July 5. Mr. H. CHAPLIN, on page 1652, line 25, *alter* disagree *to* agree, page 1653, line 9, *alter* we may appreciate *to* I confess I share to the fullest extent the surprise which has been expressed at.

An Asterisk at the commencement of a Speech indicates revision by the answer.
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HANSARD'S PARLIAMENTARY DEBATES.

IN THE

FOURTH SESSION OF THE *TWENTY-FOURTH PARLIAMENT* OF THE UNITED KINGDOM OF *GREAT BRITAIN* AND *IRELAND*, APPOINTED TO MEET 5 AUGUST, 1886, IN THE FIFTIETH YEAR OF THE REIGN OF

HER MAJESTY QUEEN VICTORIA.

No. 1.] FIFTH VOLUME OF SESSION 1889. [JUNE 25.

HOUSE OF COMMONS,

Monday, 17*th June*, 1889.

EAST INDIA—REPORTS, &c.

Ordered—Address for Return of the Resolution of the Government of India (published in India in October 1888) on the Reports furnished to the Viceroy on the condition of the country and the people, together with such Reports and a comparative statement for the years 1875-6 and 1887-8, showing—

1. Since 1875-6 (the years preceding the great famine of 1877-8) the improved or deteriorated condition of the masses, with rate of wages paid, amount of work available, and such other information as will show the condition of the population;

2. The Presidencies or Provinces in which the improvement or deterioration has taken place, with any special circumstances in the respective districts accounting for such improvement or decadence;

3. The average ration per diem for the agricultural labourer in those districts where the population is shown to press on the means of subsistence, with particulars as to food stuffs, other than grain, consumed by the poorest villagers;

4. The increased area of cultivation of all kinds of food grains, but particularly of rice and millet;

5. The average out-turn per acre by Presidencies, Provinces, and Districts of the tracts recorded as under cultivation in 1875-6 during each of the past 12 years, indicating—

Province District.	A. Larger.		B. Smaller.		C. Surplus, being sufficient for —— months' food.	D. Deficit.	
	Acres.	Tons.	Acres.	Tons.	Tons.	Acres.	Tons.

6. The average out-turn per acre of the waste lands brought under cultivation, with effect of such additions upon the Revenue;

7. The cost of cultivation of good, bad, and indifferent land in 1875-6 and in 1887-8;

8. Employment found for labourers on public works, specifying separately the famine relief works of 1887-8;

9. The precise purposes to which the Famine Insurance Fund has been applied in each year since the tax was imposed, indicating—

	A. 1. Commercial.	A. 2. Protective.	B. Irrigation works, specifying areas served, and additional quantities of food stuffs raised	C. Other works intended to protect the Country against Famine.	D. Actual relief of distress.	E. Upon other objects.
1877						
1878						
1879						
&c.						

10. Showing whether the Famines of 1877-8 were occasioned (a) by actual want of food stuffs, or (b) by want of means on the part of the people to purchase food;

11. Number of agricultural cattle of all kinds, showing increase or decrease in each province;

12. The use of manure, and whether more easily procurable and more availed of than previously;

13. Indebtedness of cultivators, whether increasing or decreasing, and the

operation of the Deccan Ryots' Relief Act upon the indebtedness of the ryots, with the effect of agricultural banks where these exist;

14. Number of peasant proprietors owning five acres of land in 1875-6 and 1887-8;

15. Amount of aid granted annually during the past 15 years to cultivators under the Land Improvements Act;

16. Specifying the various irrigation canals and other irrigation works, showing—

A.	B	C.		D.		E.
Extent of land irrigated	Description of crops and amount.	Out-turn.		Districts and Populations absolutely protected from Famine by irrigation.		Possible extension of irrigation.
		Increase.	Decrease.	1875-6.	1887-8.	
1875-6.	1875-6.					
1887-8.	1887-8.					

And distinguishing between (a) Ancient works which have required no repairs or additions; (b) Ancient works to which repairs or additions have been required; and (c) New works since 1800.—(*Mr. Bradlaugh.*)

QUESTIONS.

IRELAND—JUDICIAL RENTS.

MR. JOHN ELLIS (Nottinghamshire, Rushcliffe): I beg to ask the Solicitor General for Ireland how many of the 10,752 tenants whose tenancies were determined by notices under Section 7 of "The Land Act (Ireland), 1887," in the year 1888 had applied to the Land Commission for judicial rents; how many of the cases had been adjudicated; and, how many remained non-judicial?

THE SOLICITOR GENERAL FOR IRELAND (Mr. MADDEN, University of Dublin): Inquiries have been made both of the Land Commission and of the Clerks of the Peace relating to the question of the hon. Member, but I am informed that no records are in existence from which it is possible to procure the information which is desired.

EMIGRANTS FROM IRELAND.

MR. JOHN ELLIS: I beg to ask the Solicitor General for Ireland what was the number of emigrants from Ireland during the five months ending 31st May, 1889?

MR. MADDEN: The number during the five months ending 31st May last was 41,594.

THE DRAINAGE OF THE SHANNON.

MR. SMITH BARRY (Huntingdonshire, S.): I beg to ask the Solicitor General for Ireland whether it is proposed to commence drainage operations in the valley of the Shannon River before the passing of the Shannon Drainage Bill, and whether such operations will be carried out on the plan suggested in the Report of Mr. J. F. Bateman, C.E., in 1867, under which he said that the bed of the river would be so dried that operations there "could be carried on as if they were on dry land"; and, if so, whether proper precautions will be taken to prevent injury to the salmon and other fish that breed in the Shannon, and compensation granted in the event of damage being done to the very valuable fisheries in the river?

MR. MADDEN: Certain works have for the last eighteen months been in operation on the lines of Mr. Bateman's

scheme, the funds being provided from a separate grant of £50,000 unconnected with the general Shannon scheme which is now the subject of a Bill before this House. Upon the Bill becoming law the works it proposes in regard to other portions of the river will also follow the general lines of Mr. Bateman's project. Hitherto, owing to the precautions taken, no injury has been done to the salmon or other fisheries. It is not anticipated that the execution of the works under the Bill will cause any injury to the fisheries, and every precaution will be taken to secure that this should be the case.

DANGEROUS PERFORMANCES.

MR. LAWSON (St. Pancras, W.): I beg to ask the Secretary of State for the Home Department, whether his attention has been drawn to the constant occurrence of accidents to parachutists at exhibitions in places of public amusement; and, if any, and if so, what, precautions are insisted upon by the police authorities in respect of apparatus, &c.? I also wish to know if it is proposed to take any steps to put a stop to these exhibitions?

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. MATTHEWS, Birmingham, E.): Yes, Sir, I have observed that in some cases accidents have occurred at the performances in question. The police have no authority to interfere, as the law does not prohibit public performances by adult persons on account of their danger. All that the police can do, and this has been done in the case of the recent performances at the Alexandra Palace, is to warn the managers of such exhibitions of the responsibilities which may attach to them if any accident should happen. The manager of the Alexandra Palace has written to me to say that, before engaging any of these parachutists, he takes the utmost pains to satisfy himself as to the safety of the performance, so far as can be judged from certificates of previous ascents and actual experience.

MR. LAWSON: May I ask the right hon. Gentleman if it is proposed to take any further action in the matter?

MR. MATTHEWS: I am unable, as the law stands, to take any action.

THE WATERFORD POST OFFICE

MR. BLANE (Armagh, S.): I beg to ask the Postmaster General if the Postmaster of Waterford has recently been suspended from duty for repeated acts of intoxication; if the same officer had previously been reported to the Department by the Inspector as short of official cash; and if he will consider the state of the Waterford Post Office and its management?

A LORD OF THE TREASURY (Sir H. MAXWELL, Wigtonshire): The Postmaster of Waterford has recently been under suspension for intoxication, and, in the course of the inquiry consequent thereon, the state and management of the Waterford Post Office have naturally come under the consideration of the Postmaster General, who received urgent representations from the inhabitants of Waterford for his reinstatement. The Postmaster had not previously been reported for being short in his official cash.

ZULULAND—TRIAL OF NATIVE CHIEFS.

MR. THOMAS ELLIS (Merionethshire): I beg to ask the Under Secretary of State for the Colonies whether he is now aware that on the 28th of April Zibebu was at large and participating in the official rejoicings over the penalties awarded to Dinuzulu and other Usutus by the Special Court at Etshowe; and whether he can inform the House as to the steps taken by the Authorities in Zululand to comply with his promise that if the prisoners are committed for trial they will in due course be brought before the proper tribunal?

THE UNDER SECRETARY OF STATE FOR THE COLONIES (Baron H. DE WORMS, Liverpool, East Toxteth): No information has been received by the Secretary of State in any way bearing out the suggestion that "rejoicings," official or non-official, took place on the occasion in question, or that Usibebu was at large. If Usibebu is committed for trial he will be proceeded against before the Chief Magistrates' Court, as constituted under No. 15 of the Zululand Regulations, which the hon. Member will find at p. 5 of Blue Book, c. 5331, at a date to be fixed by the Chief Magistrate. The trial will proceed upon an information filed on behalf of the Government, and the case

for the prosecution will be presented by some officer of the Government.

MR. W. REDMOND (Fermanagh, N.): The Under Secretary will remember that some time ago I asked a question in reference to the sentences upon Dinuzulu and the other chiefs, and the reply which I received was that they were about to be considered with a view to having them cut down. May I ask if any steps have been taken in that direction?

BARON H. DE WORMS: No, Sir; the inquiries into the evidence are not yet finished.

MR. THOMAS ELLIS: I beg to ask the Under Secretary of State for the Colonies, whether Her Majesty's Government has now received the official Report of the proceedings of the Special Judicial Commission in Zululand which, on 27th April last, sentenced Dinuzulu and others to long terms of imprisonment on the charge of high treason; if so, whether the Government has arrived at any decision as regards the confirmation or modification of those sentences; and, with reference to the assurance given in a letter to Mr. Escombe, dated 18th March, 1888, that the execution of all sentences passed by the Special Commission should be "suspended pending the consideration of the Secretary of State," whether the Government will immediately direct, by telegraph, that the prisoners shall be relieved from the hardships they are now undergoing, and that there shall be no unnecessary severity in their detention until instructions have been given as to their ultimate fate?

BARON H. DE WORMS: The Report of the proceedings has not yet arrived. Her Majesty's Government see no necessity to telegraph as proposed by the hon. Member, because the information in their possession negatives the suggestion that the prisoners are being treated with unnecessary severity. They are treated in the same way as before trial except that they are not allowed to communicate with visitors save in the presence of a prison official. Each prisoner is allowed the attendance of a servant, and to receive such presents of food and native beer as may be brought to him.

MR. J. MORLEY (Newcastle-upon-Tyne): When may we expect to have the Papers laid before the House?

BARON H. DE WORMS: We are waiting for the Report, and as soon as it is received it will be considered. There shall be no delay.

BRITISH SUBJECTS AT SAMOA.

DR. CAMERON (Glasgow College): I beg to ask the Under Secretary of State for Foreign Affairs, when the Papers relating to the removal of British subjects from the British ship *Richmond*, at Samoa, by armed boats from the German war-ship *Adler*, and their subsequent release, on the demand of the British Naval Commander, which he promised on the 12th March to place before Parliament, will be laid upon the Table?

*THE UNDER SECRETARY OF STATE FOR FOREIGN AFFAIRS (Sir JAMES FERGUSSON, Manchester, N.W.): The papers which were promised on the 12th of March, relating to recent events in Samoa, were laid on the Table on the 20th of that month. I stated that they would contain references to the affair of the *Richmond*, and they gave the facts as then known to us by telegraph. Despatches subsequently received gave similar and, of course, fuller accounts. Inasmuch as the action of the German Authorities on the spot in that affair was disapproved by the German Government, and the claim of the owners for compensation is under consideration, it is thought inexpedient to lay further Papers on the subject at present.

DR. CAMERON: Is the claim for compensation under consideration by the Conference?

*SIR J. FERGUSSON: No, Sir. The claim for compensation is being separately considered. It was not under the consideration of the Conference.

THE NATIONAL PORTRAIT GALLERY.

MR. AIRD (Paddington, N.): I beg to ask the First Commissioner of Works if the arrangements are now complete for the erection of the National Portrait Gallery?

THE FIRST COMMISSIONER OF WORKS (Mr. PLUNKET, University of Dublin): The gentleman whose generous offer I have already explained to the House has concluded his arrangements with the Government for the purpose of providing a building for the National

Portrait Gallery, and has undertaken to complete it, subject to the approval of the Office of Works, within three years. With this view he has given instructions to Mr. Euan Christian, the eminent architect, who is now preparing the necessary sketch plans, after consultation with Mr. Scharff, whose services in connection with the National Portrait Gallery are well known to the public. The Government have, with his entire approval, promised the donor, as a site for the building, the space now vacant at the back of the National Gallery, facing St. Martin's Church and the new Charing Cross Road. It will be necessary to pass a short Act of Parliament in order to make that space available for the purpose, and I shall at once ask leave to bring in the Bill. I am glad to be able to add that the Trustees of the National Gallery, in view of the undertaking of the Government to provide, if necessary, further space for their wants in the barrack-yard, will make no objections to our proposals, and approve generally of our scheme, while, in the opinion of the Trustees of the National Portrait Gallery, the site we offer leaves nothing to be desired.

IRELAND—LAND CASES IN MONAGHAN.

MR. BIGGAR (Cavan, W.): I beg to ask the Solicitor General for Ireland whether there are eighty land cases unheard by the Commissioners on the Monaghan Estate of E. P. Shirley, esquire, the originating notices for which were served in or before the month of March, 1887; whether in sixty of these cases the tenants are caretakers pending the six months for redemption; and, whether a special supplemental list will be supplied and a special sitting will be granted before the time for redemption expires, in order to save said tenants (most of whom were put off for administration) from eviction, and give them the benefits of the Land Acts?

MR. MADDEN: The Land Commissioners state that all outstanding originating notices from tenants on the Shirley Estate received at their office up to the 4th of May, 1887, are on the present list for Carrickmacross, and the hearing of these cases is nearly completed. A new list is being prepared containing all originating notices from the Shirley Estate received since the 4th of May, 1887. The hearing of the cases on this list will be commenced when the cases on the present list have been disposed of.

IRELAND—IRISH DETECTIVES IN SCOTLAND.

DR. CAMERON: I beg to ask the Lord Advocate whether his attention has been called to the case of Mr. Kelly, commission agent, Westport, Ireland, who is alleged to have been "shadowed" by Irish detectives during a business visit to Glasgow and Edinburgh extending from 22nd to 31st May; whether it is true, as stated, that these Irish detectives followed Mr. Kelly from Greenock to Glasgow, put up at the same hotel with him, tracked him to the house of a Glasgow merchant, who had invited him to pass the night there, and hovered about offices of merchants with whom he was transacting business; that when, through the interference of one of the merchants, they were confronted with Mr. Kelly, they stated that if he would detail to them his movements in Scotland they would not trouble him so much, and excused themselves by saying that they were just performing the duty assigned to them; and, whether the men referred to were really detectives as they stated; if so, by what warrant or what authority they interfered with Mr. Kelly's movements in Scotland, and especially under what authority known to Scottish law they obtruded the fact of their presence and alleged business on the merchant with whom Mr. Kelly was transacting business, in a manner calculated injuriously to affect his credit?

THE LORD ADVOCATE (Mr. J. P. B. ROBERTSON, Buteshire): I will ask the hon. Gentleman to put the question to-morrow.

THE LONDON COMPANIES' IRISH ESTATES.

MR. JOHN ELLIS: I beg to ask the First Lord of the Treasury, whether, in view of the recent proceedings of some of the London Companies owning estates in the north of Ireland, with respect to advances under the Land Purchase (Ireland) Acts, 1885-8, he will consider the expediency of declining to sanction any further advances of public money in respect of sales by such companies until it has been made clear that they have

not committed breaches of trust in the proceedings in question?

*THE FIRST LORD OF THE TREASURY (Mr. W. H. SMITH, Strand): The London companies hold their Irish estates in virtue of certain charters, letters patent, and conveyances, and I am informed that neither in the charters to the Irish Society nor in the grants from the Irish Society to the London companies is there any trust whatever involved. It also appears that the Land Purchase Commissioners could not refuse, pending inquiry or otherwise, to extend the benefits of the Land Purchase Acts to the tenants of the London companies' estates, nor can the action of the Commissioners in the administration of the grant be fettered or controlled, except by legislative enactment.

In reply to a further question by Mr. J. ELLIS,

*MR. W. H. SMITH said he had only a communication from the Land Commission that morning, and he was consequently unable to give any further explanation.

SIR R. FOWLER (London): Is it not the fact that one of the London companies sold their property as long ago as 1687, and that the property of three other companies was disposed of in 1727, 1728, and 1729?

*MR. W. H. SMITH: I really have no information on that point.

THE BOARD OF AGRICULTURE BILL.

SIR EDWARD BIRKBECK (Norfolk, E.): I beg to ask the First Lord of the Treasury whether the constitution of the new Agricultural Department created by the Board of Agriculture Bill follows exactly the precedent of "The Local Government Board Act, 1871;" and, whether there is any, and, if so, what, difference in the position and independence of the Minister to be designated as President of the Board? I should also be glad to learn when the Committee stage of the Bill will be taken?

*MR. W. H. SMITH: The Board of Agriculture Bill and the Local Government Act of 1871 run on similar lines, and the President will be as independent and equally responsible for his Department as is the President of the Local Government Board. I am not able to say at present when the Committee stage of the Bill will be taken. I hope it will be possible to take it next week.

LOTTERY CIRCULARS.

MR. WOOTTON ISAACSON (Tower Hamlets, Stepney): I beg to ask the First Lord of the Treasury whether the Government will consider the expediency of stopping all lottery circulars coming through the post from Hamburg, and other parts of Germany, with the view of checking this form of gambling?

*MR. W. H. SMITH: In answer to the question of my hon. Friend, I have to say that, as the law stands at present, there is no power to stop lottery circulars from entering this country by post.

WAR OFFICE—COMMUTATION OF PENSIONS.

MR. BRADLAUGH (Northampton): I beg to ask the Secretary of State for War whether he can yet state to the House the result of his consideration of the differing rates of commutation of pensions for private soldiers as compared with the rate at which Commissioned Officers can commute?

*THE SECRETARY OF STATE FOR WAR (Mr. E. STANHOPE, Lincolnshire, Horncastle) said he regretted that he was not yet in a position to inform the House as to the result of the inquiry. Negotiations were still going on with the Treasury, and he would do his utmost to push it forward, so that, at any rate, during the present Session, he might be able to intimate to the House that there has been a settlement of the question.

PUBLIC BUSINESS.

In reply to Mr. CONYBEARE (Cornwall, Camborne),

*MR. W. H. SMITH said it was not proposed to take the Irish Drainage Bills that night.

MR. CAMPBELL-BANNERMAN (Stirling Burghs) asked what was the intention of the Government in reference to the Army and Navy Estimates? Did the First Lord of the Treasury propose to take the Navy Estimates if the Army Estimates were not disposed of?

*MR. W. H. SMITH: It is intended to go on with the Army Estimates as long as we can, and, if we have the opportunity, to take the Navy Estimates also.

SIR W. LAWSON (Cumberland, Cockermouth): Will the Sugar Convention Bill be brought on on Thursday? It is down as one of the Orders for that day.

*MR. W. H. SMITH: I think that some understanding may be arrived at in reference to Public Business after I have moved the Motion which stands on the Paper in my name.

DR. FARQUHARSON (Aberdeenshire, W.): Is it the intention of the Government to take Vote 4—the Medical Vote—to-night? Would it not be more convenient to postpone the discussion upon that Vote until we have before us the Report of the Departmental Committee which has been sitting on the subject?

*MR. W. H. SMITH: I think there is a great inconvenience in postponing Votes, unless a strong reason can be shown. I hope, therefore, that the Committee will be disposed to proceed with the Votes in the order in which they stand.

MR. T. ELLIS, referring to a number of Notices on the Paper for Addresses to the Crown suggesting Amendments in the Elementary Education (New Code), asked if it was probable that they would be taken that night, or whether it was proposed to discuss them when the Code itself came on for consideration?

*MR. W. H. SMITH: I think it is highly improbable that they will be taken this evening. The Government are not, however, responsible for them.

MR. T. ELLIS: Will they be taken before the House discusses generally the Education Vote?

THE VICE PRESIDENT OF THE COUNCIL (Sir W. HART DYKE, Kent, Dartford): The Amendments take the form of Addresses to the Crown. I will communicate with hon. Members on this side of the House, who have put down Amendments and urge upon them the desirability of discussing the Code and the Amendments on the same day. The Amendments have no doubt been put down so that they might be *en evidence*.

MR. MUNDELLA (Sheffield, Brightside): May I ask whether a special sitting will not be set aside for the discussion of the Code apart from the Amendments?

SIR W. HART DYKE: In 1882 the Amendments to the Code and the Estimate were discussed at the same time, but of course on this occasion we shall be guided by the wish expressed by the House.

MR. MUNDELLA: I may remind the right hon. Gentleman that there were no Amendments on the Paper to the Code of 1882.

TOWN POLICE CLAUSES ACT (1847) AMENDMENT BILL (No. 65.)

Lords Amendments to be considered forthwith; considered, and agreed to.

MOTION.

BUSINESS OF THE HOUSE, TUESDAY SITTINGS.

Motion made and Question proposed,

"That on Tuesday, for the remainder of the Session, Government Business do have Precedence, and that, unless the House otherwise order, the House do meet at Three of the Clock, and that the provisions of Standing Order 56 be extended to such Sittings."—(*Mr. William Henry Smith.*)

*MR. BRADLAUGH: I wish to draw the attention of the First Lord of the Treasury to the Motion which stands second on the Paper for to-morrow evening, and which has reference to the grievances of the natives of India. Of course, that Motion cannot be brought on now, and, therefore, I would remind the right hon. Gentleman that it will be quite impossible to bring on that question on the Motion that Mr. Speaker leave the Chair, for the purpose of hearing the annual statement upon the Indian Budget. Under the new Rules Mr. Speaker will leave the Chair without the question being put, and the Motion which stands upon the Paper for to-morrow would not be in order with Mr. Courtney in the Chair. It is, therefore, probable that this important question will stand no chance of coming on for discussion this Session, unless I raise it in a more or less irregular fashion. Certainly, strong temptations are placed in the way of hon. Members who have no desire to trench upon the forms of the House to raise such questions as these by Amendments to the Address. Personally, I have never taken that course yet, but I have had this Motion on the Paper for the last

two Sessions. It is a question which affects 200 millions of people in India, and it ought not to be entirely thrown over without consideration. I do not ask the right hon. Gentleman to promise me a day, but on behalf of a very large number of people who, rightly or wrongly, consider that they have a real question to submit to the House, I put it to him whether it is not too much to defer the discussion of these questions year after year until the Benches are empty, and then only have a mere talk upon them, in which the sense of the House cannot be taken. I would suggest that that is not the proper treatment of our Indian subjects, and that it does not tend to promote their loyalty towards us. I trust that the First Lord of the Treasury will take care, when the Indian Budget statement is made, that an opportunity is afforded for taking the sense of the House upon the proposition I desire to submit to it.

MR. GLADSTONE (Edinburgh, Mid Lothian): May I ask if it is the intention of the right hon. Gentleman to make any statement as to the Government business in submitting a Motion of this kind?

MR. W. H. SMITH: I refrained from making a statement on moving the Motion, because, as the right hon. Gentleman is aware, as a rule many questions are addressed to the Minister who makes a Motion of this kind, and I can only address the House a second time by the indulgence of the House. I thought it would be more convenient that I should wait until questions had been put to me; but if the right hon. Gentleman and the House are desirous that I should make a brief statement now, I am quite ready to do so. The Government make this Motion with a view to the progress of the business of the House. We have been in Committee of Supply in the course of the present Session on 29 different occasions, and we have obtained only 80 Votes out of the large number of Votes which we have to get. With regard to what the course of business is likely to be, I will answer in the first place the question put by the hon. Member for Cumberland (Sir W. Lawson), as to the Sugar Convention Bill, which stands for consideration next Thursday. I think it may be well to say that, looking at the state of public business, and looking to the desire, which I believe is shared by the House generally, that the Session should not be unduly prolonged, and having regard also to the fact that this Bill will be as operative if passed next year as if it were passed during the present Session, the Government do not think it necessary to press the consideration of the measure. I am by no means desirous of asking the House to consider a Bill now which can without any detriment to the public interests be postponed. We think it is sufficient for us to undertake the work which is pressing. With reference to the course of business this week, I have already stated that we propose to take the Army and Navy Estimates to-day and to-morrow, the Universities (Scotland) Bill on Thursday, and, if we are fortunate enough to pass the Second Reading on that day, we will take Supply on Friday. I think it is sufficient for the present that I should state what business we propose to take this week. I hope it will be possible to proceed at an early date with the Second Readings of the Irish Drainage Bills, the Irish Light Railways Bill, and the subsequent stages of the Scotch Universities Bill. The House is now in possession of all the important Government Bills, and I trust that the amount of business before the House will not be more than will enable the House to dispose of it without trenching too largly upon the time of hon. Members, and will admit of an earlier rising than has been the case in former Sessions. The Committee stage of the Merchant Shipping (Pilotage) Bill, which is on the Paper for to-night, will not be taken, as it will be referred to a Standing Committee, who will consider its details without trenching upon the time of the House. The Lunacy Bill will also by agreement be referred to a Standing Committee. The Universities (Scotland) Bill will tax the attention of the House for some time, and after it is disposed of we propose to proceed with some of the less important measures, so that we may then be able to proceed with the Scotch Local Government Bills from day to day until they are passed.

MR. GLADSTONE: I may say that my intention was not to place the right hon. Gentleman in a position of embarrassment when speaking. I was under the impression that this was an independent

Motion, and that the right hon. Gentleman would have a right to reply. With reference to the statement which the right hon. Gentleman has now made, I have little to say on the present occasion. I am glad the Scotch Bills are to be proceeded with, and I hope that with the arrangements the right hon. Gentleman has spoken of we may reckon with great confidence on their being passed during the present year. The most important of the topics usually touched upon in regard to a Motion of this kind is that which embraces the future intentions of the Government with regard to fresh legislation. We now hear explicitly that we have before us all the important measures which it is the intention of the Government to press forward during the present year, subject, of course, to any unexpected and pressing necessity which may arise. Further, as we understand, we have before us now the work of the year. Under these circumstances, I do not think that any reasonable objection can be taken to the Motion made by the right hon. Gentleman. I cannot entirely say I am as sanguine as I infer he is from the brief reference he has made to the Sugar Duties Bill, which stands in the Orders for Thursday. Apparently the right hon. Gentleman thinks that all that will have to be done will be to make a formal Motion for the withdrawal of the measure. I do not think, having regard to the importance of the Bill and the question which it raises into life, and which it is likely to keep alive so long as the measure itself is living, either in this Session or another —I do not think it can be disposed of without any discussion whatever; although at the same time I do not think that that discussion need extend to any great or inconvenient length. I certainly do not oppose the Motion which the right hon. Gentleman has made.

Mr. H. GARDNER (Essex, Saffron Walden): May I ask when the Tithe Rent Charge Bill will be printed and circulated, and whether it is intended to proceed with it on an early date?

*Mr. BRADLAUGH: May I ask whether the Government intend to introduce the Employers' Liability Bill this Session?

Mr. HANBURY (Preston): Do I understand that there is no intention of introducing a Bill to carry out the recommendations of the Royal Commission on Civil Establishments, although such a measure was mentioned in the Queen's Speech?

Colonel NOLAN (Galway, N.): I rise, Sir, for the purpose of moving an Amendment. I think that private Members are entitled to protest a little against this proposal. I believe that in this country even servants are entitled to four weeks' notice, and I consider that private Members ought to have some notice before their rights are swept away. My Amendment is after the word "Tuesday" to insert "after this day four weeks." I find that an hon. Friend of mine has down for discussion on a Tuesday a most important question in reference to Grand Juries in Ireland, and that the subject of the Scotch crofters is also intended to be discussed on a Tuesday. There is also on the paper for a Tuesday a Motion about the services of the late Sir William Palliser. I had a Motion myself on the subject last year, but the supporters of the Government deliberately talked it out. On Fridays only one Motion can be moved, and I deny that this policy of taking away the only real opportunity which private Members have of bringing forward public questions has any practical use. It gives the Government a few more hours a night, but it encourages Members to talk on Supply and on other subjects in order to ventilate grievances which they have a right to bring forward on private Members' nights. Certainly, as far as I am concerned, it will rather encourage me to speak more on Supply than I have had an opportunity of speaking earlier in the Session. I want to facilitate the voting of Supply; but I do not think the Government are setting to work the right way in coming forward at this comparatively early period of the Session to confiscate practically all the days that are not already appropriated.

Mr. CONYBEARE (Cornwall, Camborne): I rise, Mr. Speaker, to second the Amendment, and I do so because this practice of confiscating the time of private Members is one which is growing, like other improper practices, on the part of the Government. I think we should lose no time in entering our protest against these further inroads on our

rights and privileges. In addition to the Motions which have been mentioned, there is one in the name of my hon. Friend the Member for Caithness (Dr. Clark) on the question of perpetual pensions, and I think it is material that an opportunity should be given us for discussing that subject. When I look back over the proceedings of the Government so far, I think we cannot congratulate them upon having performed very much work. So far as I know only two Bills have been passed, namely, the Naval Defence Bill and the National Debt Bill. The Government have declared that they desire this to be a Session the greater part of which is to be devoted to Supply. Well, we have discussed questions on Supply, and no one can accuse Members on this side of the House of unduly protracting debates by anything in the nature of organized obstruction. Therefore, there is no argument for filching Tuesdays from private Members to be based upon the slow progress of Supply. The fact is that under the existing paternal Government this House is becoming simply a Debating Chamber for the purpose of recording the decisions of Her Majesty's Ministers. There is practically no independence whatever. There is no opportunity for us to discuss anything except practically what the Government choose to set down on the Paper, and I hold that it is our duty to do what we can to put an end to this treatment, or at any rate to enter a strong protest against it. With reference to one important measure which the Government have announced it to be their intention to throw overboard, namely, the Sugar Convention Bill, the right hon. Gentleman recited several reasons why the Bill could not be proceeded with. He did not, however, state one very potent reason, that is to say that the Government would have been defeated if they had pressed forward the measure. I would ask the right hon. Baron (Baron de Worms), whose policy in this matter has met with such signal defeat, whether he does not now propose to "consider his position," and the advisability of retaining his seat on the Treasury Bench? I think it essential that we should have a thorough discussion of all Government measures, and those measures—which are much more numerous—in which our constituents take an interest, even if it should be necessary to sit until the end of September. I, therefore, have the greatest pleasure in seconding the Amendment.

Amendment proposed, after "Tuesday" to insert "after this day four weeks."—(*Colonel Nolan.*)

Question proposed, "That those words be there inserted."

MR. AMBROSE (Middlesex, Harrow): I should like to ask the Leader of the House whether his statement that we are now in possession of all the business the Government intend to deal with this Session is to be taken as including certain measures at present before the House of Lords, such as the Land Transfer Bill?

MR. CHAPLIN (Lincolnshire, Sleaford): A question was put to the right hon. Gentleman the First Lord of the Treasury as to the Board of Agriculture Bill, and I was unable to catch in his reply any allusion to that measure. There is no serious opposition to it, and I presume the right hon. Gentleman hopes to be able to proceed with it. Before we surrender Tuesday as a private Members' day for the rest of the Session I should like to urge on the right hon. Gentleman the First Lord of the Treasury to afford us an opportunity for the further discussion of the question of bi-metallism. The interest shown in this question to some extent removes it from the category of other questions which are in the hands of private Members at the present moment. All I ask is whether it will be possible for the Government to give a day for the renewal of the debate some time before the Session closes?

MR. LABOUCHERE (Northampton): After the interesting speech of the right hon. Gentleman the Member for the Sleaford Division on the eve of the adjournment for the Whitsun holidays, and the equally interesting speech of the hon. Member for Flintshire, all the interest in the subject of bi-metallism was exhausted. I think it is perfectly monstrous that the right hon. Gentleman, after having let off his own speech, should ask for a second day in order that he may hear what replies can be made to him. For my own part, I should as soon think of replying to a bi-metallist as of replying to any one

coming down to this House and propounding a scheme for squaring the circle. I regret that the First Lord of the Treasury when moving a Resolution of this kind should be so exceedingly aggressive. The right hon. Gentleman cannot take a private Members' day without adding insult to injury; and when he speaks of obtaining only 80 votes in 29 days he should remember that from the beginning of the Session he has been marauding upon the time of private Members. When the right hon. Gentleman does that he must expect more exhaustive discussions on the Estimates. I have been blamed for speaking often on the Estimates. (Cries of "No.") I am glad hon. Members say "No." I shall remember what hon. Gentlemen on the Ministerial side say, and shall speak as often in the future. I am not ashamed of taking an interest in the Estimates. I know perfectly well that the country is thoroughly disgusted with the present House of Commons. There are two policies in this House. There is the Government policy of sticking there as long as possible, and avoiding an appeal to the country, and there is the Opposition policy of appealing to the country. I consider that, however poor a speech delivered on the Estimates or any other subject may be, the time is well employed, because even the making of a bad speech prevents the Government from bringing forward matters which they consider to be of importance to the country, and upon which they wish to force the decision of a House which has not the confidence of the country. I hope in the future the First Lord of the Treasury will not be so aggressive, and will not throw taunts and sneers at hon. Members when they are endeavouring to do their duty to their constituents. Let the right hon. Gentleman remember that we on this side are perfectly ready to meet our constituents. We have done our very best in this House to force a Dissolution and to prevent a Ministry and a House of Commons which do not possess the confidence of the country from legislating upon matters upon which the country demands to be consulted.

*Sir J. PEASE (Durham, Barnard Castle): I desire to say a word in reference to an observation which fell from the junior Member for Northampton (Mr. Bradlaugh) as to the Indian Budget. It has been my fate, on two or three occasions, to have to stop in town waiting for the Indian Budget debate to come on; and I hold it to be a great misfortune that so very important a thing as the financial statement as to India, which really involves our whole Indian policy, should come on at so late a period of the Session as has been hitherto unfortunately the case. I would appeal to the right hon. Gentleman who has charge of the business of the House whether he would not take an early day for the discussion of such an interesting matter? As to what has fallen from the right hon. Gentleman, the Member for the Sleaford Division, I think the question he introduced on the eve of the Whitsuntide recess a most important and interesting one. But in reality, Sir, the debate was a very unsatisfactory one; and when we consider that the question is one which has an important bearing on India, I think it is one on which we ought to be able to hear a fuller expression of the views of the House, and especially of those of the Government, through the right hon. Gentleman, the Chancellor of the Exchequer, as well as those of the right hon. Gentleman the Member for Mid Lothian (Mr. Gladstone), and the right hon. Gentleman the Member for Leeds, who has taken much interest in this question. I hope, therefore, that more time will be given to those who have taken an interest in the question, to express their views.

*Colonel BLUNDELL (Lancashire, S.W.): I should like to point out that I have a Motion on the Paper for next Friday in relation to a provision for the daughters of the late Sir W. Palisser; but, owing to the rule which relates to Fridays' questions, I find that I shall not be able to take a division, so that the matter has very little chance of obtaining the decision of the House. I know that a number of hon. Members have expressed an interest in the subject, and, knowing the circumstances of the case as I do, I feel satisfied that if a proper opportunity could be afforded of bringing it forward, the House would be inclined to give a favourable consideration to my Motion.

Mr. GOURLEY (Sunderland): I should be glad to hear from the First Lord of the Treasury what course the Government are disposed to take with

regard to the Pilotage Bill and the Merchant Shipping (Colours) Bill ?

DR. CLARK (Caithness): In supporting the Amendment of my hon. Friend the Member for Galway (Colonel Nolan), I would suggest to the First Lord of the Treasury that he would really save time by accepting it. I may remind him that last year when the crofters Estimate came up, we allowed the Vote to be taken without debate on the understanding that we were to have a day for the discussion we wished to raise, and by the Motion now before the House the Government are going to take a night which we have succeeded in getting for the discussion of the crofters question. The result will be that the Scotch Members will think twice before they allow the Government another such opportunity, and the Government will find that instead of one discussion on this matter there will be three—namely, one on the Vote for the Scotch Fishery Board, another on the Vote for the Lord Advocate's salary, and a third on the Vote for the salaries of the Crofters Commission. Therefore, if the Government wish to see Supply got through with expedition, they should not take up the time that belongs to private Members, and so compel them to raise three debates in Supply on matters all of which might be dealt with at one sitting if the opportunity were afforded. The result of our giving way as we did last year was that instead of our having plenty of time for the discussion as we had been led to expect, only a couple of hours were at our disposal, and we were unable to get a division on the important points raised in the debate. I feel confident that if the First Lord persists in his Motion, he will find that more of the time of the House will be wasted than if he adhered to the ordinary rule.

MR. W. REDMOND (Fermanagh, N.): I should be glad if the right hon. Gentleman the First Lord of the Treasury would state when he proposes to take the Irish Estimates.

SIR R. KNIGHTLEY (North Hants, S.): I desire to support the appeal that has been made by my hon. Friend near me and by other hon. Members that the Government may see their way to affording an opportunity for renewing the discussion on the question raised by the right hon. Gentleman the Member for the Sleaford Division of Lincolnshire in reference to bi-metallism, as I think it would be only right that the House should have a fuller statement of the opinion of Her Majesty's Government on the subject.

MR. T. ELLIS (Merionethshire): I should like to hear from the right hon. Gentleman the Vice President of the Committee of Council on Education (Sir W. Hart Dyke) when he proposes to afford facilities for considering the Intermediate Education in Wales Bill in Committee, and when he will be able to place upon the Paper the Government Amendments to that measure.

*MR. J. E. ELLIS (Nottingham, Rushcliffe): We on this side of the House are, I think, entitled to congratulate ourselves on the fact that the right hon. Gentleman the First Lord of the Treasury has not in any way imputed to us the undue prolongation of debates in this House; but I think that this omission carries with it the obligation on the part of himself and Colleagues of seeing that outside of this House no such imputations are cast upon our conduct. We know that the Chancellor of the Exchequer this Session, and notably last Session, and the Secretary to the Treasury, have taken that course outside this House. The Government and its followers should surely see to it that what is said on such a subject should be said in the House and not beyond its walls. I take it, from what has now happened, that we are to have an end of complaints of this kind being made outside the House. I would also venture to say a word in regard to the arrangement of the business of the House, which has almost become a matter of scandal. Hon. Members on both sides in private conversation agree that the enormous physical and mental strain which is put upon us is largely due to the course which has of late been adopted with reference to the arrangement of the business, whereby it is perfectly impossible for any of us to know two or three days beforehand what is the business to which our attention is to be called. I hope the First Lord will be able to find a way of remedying this evil. The complaint does not arise from this side of the House only, as will appear from the remarks made in a public organ which is the chief supporter of the Government, the *Standard* newspaper on the 29th April, which says:—

"An impression has got abroad that Ministers have been rather given to proceed upon the happy-go-lucky system; to throw themselves into the arena with a certain number of Bills in their hands, and then to trust to fortune for the issue. Without asserting that these insinuations are well founded, we may frankly say that the Government have not been as conspicuous for success in manœvring their measures as for the quality of the measures themselves, or the ability with which they fought them when it came to close quarters. At this period of the Session, the economy of time, and the disposal of legislation in its proper order, become matters of paramount importance. It would be unpardonable this year to be compelled to have recourse to a supplementary Session in the autumn."

We have not forgotten what was said by the right hon. Baronet the Member for Sussex (Sir W. Barttelot) on this subject of an Autumn Session, and we heartily endorse his assertion that it was "a most miserable failure." The right hon. Gentleman the First Lord has said that the House is now in possession of all the measures of the Government—

*Mr. W. H. SMITH: All the important measures.

*Mr. J. E. ELLIS: Of course, the introduction of the word "important" opens a wide door; and we want to know the meaning the right hon. Gentleman attaches to that word. I should like to know whether he means it to include all the Bills which involve matters of controversy, such for example as the Employers' Liability Bill, and the Irish Bill affecting the tribunals dealing with Real Estate, because on these measures—certainly on the Employers' Liability Bill—there is sure to be considerable and prolonged discussion. I hope, therefore, we may take the right hon. Gentleman's declaration to mean that we may be able to get through our business at a reasonable period of the Session, and that the Government may be able to let us know in due time what it is they intend to put before us.

*Mr. HOYLE (Lancashire, S.E.): In venturing to urge that the Government will afford a further opportunity of discussing the Motion of the right hon. Gentleman the Member for the Sleaford Division, I may say that it is a a subject which has attracted a good deal of attention in Lancashire. The Manchester Chamber of Commerce, after an exhaustive trade inquiry extending over nearly 12 months, passed a resolution in harmony with the Motion of the right hon. Gentleman. In addition to that there was also a free and open meeting held in the great Free Trade Hall, at which resolutions were adopted to the same effect with only two dissentients. I venture to hope, therefore, that the First Lord of the Treasury will be able to give the House another opportunity of discussing the subject.

*Mr. W. H. SMITH: I will endeavour as well as I can to answer the very numerous appeals made to me by Gentlemen interested in various measures. The hon. Member for Northampton alluded to the Employers' Liability Bill. Considering the importance of that Bill, I hope hon. Members on both sides of the House will desire to pass it, and on the part of the Government it will receive a decided preference over other measures considered in former Sessions. I hope it will be possible to pass it this Session. With regard to the question of the hon. Member for Preston as to a Bill to carry out the valuable recommendations of the Royal Commission, I hope we will have a Bill for that purpose; but I can hardly regard that Bill as one of the measures which require special mention in this House. [Mr. Hanbury: It has been mentioned in the Queen's Speech.] It was undoubtedly mentioned in the Queen's Speech, but I consider it will not be regarded as a controversial measure, and therefore I hope we will be able to pass it. An hon. Member has referred to the Land Transfer Bill in the other House. I trust it may be possible for the House of Commons to consider that measure. When I stated to the House that it was in possession of the important measures of the Government, I referred to measures in both Houses of Parliament — to measures in progress in the House of Lords as well as in this House. With regard to the Bill to establish a Board of Agriculture, I hope to proceed with it next week, and I have no doubt it will receive the consideration of the House without undue delay. I am not in a position to enter into any engagement for the renewal of the Debate on bimetallism, but I hope my right hon. Friend may be able to find an opportunity towards the end of the Session for the renewal of the discussion. I am sure the House will have a vivid

recollection of the very interesting speech which my right hon. Friend (Mr. Chaplin) made on the last occasion. It was a most valuable contribution to the consideration of the subject of bi-metallism. The Government, at all events, will not be justified in putting aside important public and Government business in order to renew the Debate at an earlier period than I have indicated. The senior Member for Northampton seemed to think that I was aggressive and adding insult to injury by the course which I have taken on the part of the Government on the present occasion. I think the hon. Gentleman can hardly complain that it is aggressive, because the language the hon. Gentleman has used would justify even stronger measures than those proposed to be taken. When any Member of the Government has to ask for the time of the House, it is not desirable he should travel into matters of controversy or endeavour to discuss who may have wasted the time of the House. I am quite prepared, so far as I am concerned, to let the country settle that question for itself. The hon. Baronet opposite has referred to the Indian Budget. Every Government, I believe, for the last 20 years has been appealed to to give an early day for the consideration of it, and every Government has been desirous of giving an earlier day than that which has been afforded; but the protracted consideration of Supply is in itself a serious difficulty, and if a day were taken from Supply it means the prolongation of the Session in a manner which is inconvenient to hon. Gentlemen on all sides of the House. I trust that at some time or other we may be able, though I am not very sanguine about it myself, to arrive at some better method of considering Supply. With regard to the claims of the late Sir W. Palliser's family, I should not be justified in giving facilities for the purpose of discussing a Motion on that subject. It is the duty of the Executive Government to consider the claims of public servants, and very serious mischief is done when hon. Gentlemen on both sides, out of friendly personal regard or from their own view of the services rendered by particular persons, think it their duty to raise discussions in the House of Commons on the claims of those public servants for higher remuneration than the Government of the day has thought it right to give. With regard to this particular officer, I have to point out that very large sums of money were paid to him during his lifetime, and other provision made. I only refer to that to show my hon. Friend that the Government have carefully considered this question, and that we should not be doing our duty if we afforded time for such a discussion. It is intended to send the Merchant Shipping (Pilotage) Bill, referred to by the hon. Member for Sunderland, to a Standing Committee. The Amendments to the Welsh Intermediate Education Bill have been drafted, and on a very early day they will be placed on the Paper, and the Vice-President of the Council is ready to confer with the hon. Gentleman the Member for the Rushcliffe Division with regard to them. With reference to Tuesday evenings sittings, I think the past does not support the view that hon. Members are very desirous of having Tuesday evenings for the discussion of private business, as on three Tuesdays out of six, between Easter and Whitsuntide, there was no House at 9 o'clock, and on more than one occasion the House was made with the assistance of the Government in deference to the representations of hon. Gentlemen.

MR. H. GARDNER: The right hon. Gentleman, I am quite sure unintentionally, has not answered my question with regard to the Tithe Recovery Bill, when it will be in the hands of Members, and whether it is the intention of the Government to give it an early day.

*MR. BRADLAUGH: I have a Motion on the Paper, and I have heard with deep regret that I cannot have a day for the discussion of Indian grievances, which I have brought now before the House for two Sessions, which affect 200 millions of people, and which have been the subject of discussions at Congresses in India year after year. I ask the Leader of the House, whether he does not think it right that some opportunity should be afforded with the Speaker in the Chair for a discussion of my Motion when the Indian Budget is taken.

*MR. W. H. SMITH: I must apologise to the hon. Member. I accidentally omitted to refer to the memorandum I made. I fully recognize the importance of the question which the hon. Member

desires to raise. While I can give him no assurance, I will consider whether it is possible to effect any change in the rule which prohibits debate on such a question on the occasion of the Indian Budget. In answer to the hon. Gentleman (Mr. Gardner), I have to say that my right hon. Friend who has charge of the Bill fully expects that it will be circulated to-morrow or on Wednesday, but it will not be taken this week.

*Mr. BRADLAUGH: When the Indian Budget is to be taken, my Motion could be put down before you, Sir, leave the Chair, so as to give a chance of discussing it.

Mr. CHANNING (Northampton, E.): Before the Vote is taken, will the right hon. Gentleman the First Lord of the Treasury say whether it is the intention of the Government to proceed with the Bill prepared by the Solicitor General for Ireland, which provides for the registration of title, chiefly with a view to giving the advantages of registration of title to purchasers under the "Ashbourne Act." The Solicitor General for Ireland has repeatedly promised to push the Bill forward during the Session, and I now wish to know what are the intentions of the Government in regard to it.

*Mr. W. H. SMITH: The Registration of Titles Bill is, as I understand it, a non-controversial measure, and it is our desire to proceed with it, but we must have the assistance of the House in this matter, because we are not in a position to give much time to the consideration of it. In regard to the Irish Drainage Bills, I may point out that all four are practically identical with the Drainage Bills of last year. We think it is important that the whole of the Bills should go to a Committee for consideration, and we deem that the Committee stage is even more important than the Second Reading. We hope, therefore, that we shall be able at an early date, to send the Bills to Committee.

The House divided:—Ayes 45; Noes 223.—(Div. List, No. 140.)

Main Question again proposed.

Sir LYON PLAYFAIR (Leeds, S.): Before the Motion is put, may I venture to suggest that as the whole of Thursday night will probably be occupied with the Scotch Universities Bill, it would be better for any Motion for the discharge of the Sugar Convention Bill to be postponed until some future occasion.

*Mr. W. H. SMITH: I will consider the matter, and do what I can to meet the wishes of the right hon. Gentleman. At any rate, I will undertake that the Motion for the discharge of the Order shall not be taken on Thursday.

Main Question put and agreed to.

ORDERS OF THE DAY.

—o—

OFFICIAL SECRETS BILL (No. 97.)

Order for consideration, as amended, read.

The ATTORNEY GENERAL (Sir Richard Webster): I beg to move that this Bill be recommitted in respect of the following clause—"The expenses of the prosecution of a misdemeanour under this Act shall be defrayed in like manner as in the case of a felony."

Motion put and agreed to.

Bill considered in Committee.

New clause proposed.

Dr. CAMERON (Glasgow, College Div.): I have an Amendment to propose to this clause.

The CHAIRMAN: Order, order! The clause must first be read a second time.

Motion made, and Question, "That the Clause be now read a second time," put, and agreed to.

Dr. CAMERON: I now beg to move as an Amendment——

The CHAIRMAN: Order, order! The hon. Member's Amendment is not relevant to the clause.

Mr. M'LAREN (Cheshire, Crewe): Will the Bill be reprinted before the Report is taken?

Sir R. WEBSTER: I do not think that that is necessary. The Amendments were on the Paper a considerable time, and no other Amendments were moved; therefore I do not think it necessary to reprint the Bill, which has been very little altered.

Mr. M'LAREN: I do not wish to unduly delay the progress of the Bill, but I wanted to ask how it is that there is no record of the Amendments which were carried, in the Votes and Proceedings issued on the day after the Bill

passed through Committee. I know, as a matter of fact, some of the Amendments that were carried, but in the Votes and Proceedings there is simply a statement that the Official Secrets Bill passed through Committee with certain Amendments, or words to that effect, and no record is to be obtained as to what Amendments were carried. I therefore think it is desirable that the Bill should be reprinted.

SIR R. WEBSTER: The Bill on the Table shows all the Amendments, and that can be seen by any hon. Member who desires to do so. No Amendments were carried except those standing in my name, and one which I accepted from the right hon. Gentleman opposite.

*MR. H. H. FOWLER (Wolverhampton, E.): I should like to make an appeal to the First Lord of the Treasury on this question, in order to ensure that this proceeding should not be drawn into a precedent. We had a little friction last Session with reference to the reprinting of Bills. The general rule of the House has been that if Bills were amended in Committee, they should be reprinted before they were read a third time. Now, I think it should not be left to the discretion of any individual official of this House to say whether or not the Bill should be reprinted. We know that when no Amendment is made in a Bill the House generally assents to the Third Reading immediately. I quite accept the statement of the Attorney General that the Amendments made are unimportant in this case, but I think the broad general principle that when a Bill is altered in Committee it must be reprinted before it is read a third time, should be followed out in all cases.

SIR GEORGE CAMPBELL: I have noticed that extreme inconvenience occasionally arises from the impossibility of knowing what is done in Committee during the late hours of the night, and I think, perhaps, the difficulty as to reprinting Bills might to a great extent be avoided if the Votes and Proceedings were a little more full, and if they gave textually all important Amendments introduced into a Bill.

MR. W. H. SMITH: May I point out that every hon. Member has a right to look at the Bill on the Table and see what Amendments have been introduced. I will consider if it is desirable to make any change in the practice of the House with regard to the reprinting of Bills; but I would point out that hitherto it has not been the practice of the House to reprint the smaller Bills.

DR. CAMERON: I think the right hon. Gentleman might consent to have this Bill reprinted. The Attorney General has been extremely fortunate in his opportunities of pressing it forward, but it is noteworthy that it has been twice necessary to re-commit the measure for the purpose of inserting Amendments proposed by the hon. and learned Gentleman himself. He tells us that they are not important Amendments, but it strikes me that at any rate one Amendment is calculated to make the Bill more stringent and more dangerous than it was, and I should not be surprised to find that my hon. Friend opposite who gets so many secrets from contractors may be called upon, under the amended clause, to do two years with hard labour for an infringement of one of its provisions. I will not now pretend to criticize the Amendment which was introduced at a time when I was absent, and when also the hon. Member for Crewe was absent.

MR. W. H. SMITH: We will consent to reprint the Bill and save the expenditure of any further time in discussing this point.

Clause agreed to.

Bill reported; as amended to be considered upon Thursday, and to be printed. [Bill 274.]

SUPPLY—ARMY ESTIMATES.

Considered in Committee.

(In the Committee.)

(1.) £57,200, Chaplain's Department.

MR. HANBURY (Preston): I object both to the form and the matter of this Vote. In the first place it is important for the purpose of comparing the Votes year by year that they should always have the same name and refer to the same thing. Now, I should like to ask my right hon. Friend why it is that within the last two years the name of this Vote has been changed. It used to be called the Vote for Divine Service; it is now the Chaplain's Vote. Why has the name been changed? What, too, is the whole cost of Divine Service for the Army? Anybody, looking at

this Vote, would suppose that the total cost of the Department is only £58,000. But that is not so, and I believe it costs us in cash alone £86,000. That is a matter which requires explanation. If the Vote does not include all the payments, then it is misleading. Neither the sums expended under other heads on the same subject nor the real cost of the charges shown appear in the particulars given. Therefore, we have not the real facts before us. It would be useful to compare the salaries of the Army Chaplains with the payments made to clergymen of the Established Church, and in doing that it would be necessary to take into consideration the question of residences. Now, there is nothing to show us whether the clergy, whose salaries we vote under this head, have residence allowed them or not. We ought also to know what allowances they get. There are, I believe, three different kinds of allowances; yet under this Vote we only have set out the allowance for servants, which comes to something like £1,500. Then, I find that, under Vote 10, there is a forage allowance to the chaplains amounting to no less than £860. Surely all these are facts and figures which ought to be brought clearly on the face of the Vote, so that we should know exactly how much it is we are paying for Divine Service in the Army. So much for the form of the Vote. One word only as to the system. It does seem to me that a considerable saving might be effected if the recommendations of the late Colonel Duncan were carried out. He told the Committee who inquired into this Vote that a great saving might be effected if, instead of having chaplains at every station, we were to utilize the services of the parochial clergy a great deal more than we do. That cannot be done in a hurry, but I hope my right hon. Friend will gradually see his way to effect some economy in that direction. Again, we seem to have a most curious way of paying the chaplains. In no other Department of the State, except that of the Civil Service, do we recognize the principle that a man's salary shall be increased by the sheer dint of living. Chaplains go up by one dull round of routine, and the efficient gets exactly the same amount in the end as the non-efficient. I think discrimination ought to be exercised amongst the two classes, because they exist as much amongst the chaplains as they do amongst the officers of the Army. Furthermore, in the Established Church we have no system of pensions for the clergy who are past their work, and I cannot see why in the Army, after a not very long service, chaplains are entitled to pension. There are hundreds of livings in the gifts of the Crown and the Lord Chancellor, some of which might with advantage to the public interest be reserved for some of the men who have done good work in the Army, instead of giving them pensions.

*Mr. STANHOPE: My hon. Friend has complained that we do not give the total cost of the Chaplains Department, but in reality we do in another portion of the Estimates show the total cost. We have what is called a total cost statement, which was issued at the same time as the Estimates.

Mr. HANBURY: There is a large amount of money voted under other Votes, like Vote 10 for instance, which is not alluded to at all in the statement.

*Mr. STANHOPE: I do not think my hon. Friend can have looked at the statement. The total cost statement shows the whole cost of the Chaplains Department.

Mr. HANBURY: My contention is, that if the statement at the end of the Estimates is to be worth anything at all, it must be complete, and it is not.

*Mr. STANHOPE: It has been thought best to keep the Chaplains Department separate; in the total cost return is given the total cost of the Divine Service Department. Then my hon. Friend asks why the name of the Vote has been changed. That question was discussed by the Committee upstairs, and the reason of the change was fully explained. The Vote used to be called Vote for Divine Service, but it was incorporated because it did not give the whole cost of Divine Service in the Army; it gave the cost of the chaplains, but not the total cost of Divine Service. Then my hon. Friend asked, what is the actual cost of the clergy employed? and he pressed the point whether, instead of having so many chaplains, we could not employ a larger number of officiating clergy? My answer is, that we do employ as many officiating clergy as we

think sufficient for the Public Service. I pledged myself to look very carefully into the matter, and the result of my investigation is that it would never do to rely upon local clergy. In the first places what has been found is that it is absolutely essential that the chaplain should devote the whole of his time to their duties, and administer to the troops not only occasional compulsory services, but a number of voluntary services, besides administer to the wives and families of the soldiers. Then the hon. Gentleman asks why chaplains should have pensions. The chaplains have no settled home; they must have a large proportion of foreign service; they have to go off at short notice; they are exposed to the dangers of varying climates; they are often required to risk their lives, and I think it is not unreasonable that in the end they should be entitled to a moderate pension from the State. It is true that chaplains can retire at an early age, but often we utilise the services of clergy who can retire.

Vote agreed to.

(2.) Motion made, and Question proposed,

"That a sum, not exceeding £29,000, be granted to Her Majesty, to defray the Charge for Pay of the Staff of Military Prisons and other Charges for the Administration of the Military Law, which will come in course of payment during the year ending on the 31st day of March, 1890."

*MR. PICKERSGILL (Bethnal Green): Upon this Vote I wish to know what is the position of the right hon. Gentleman the Member for Brighton (Sir. W. Marriott)? I find from the Estimates that no salary is paid this year for the office of Judge Advocate General, but I certainly understood that the office continued to be held without salary by the right hon. Gentleman. Is the right hon. Gentleman Judge Advocate General or is he not? If he is, I submit he ought to be here to answer for the Department for which he is nominally responsible. It is important that the work of the Judge Advocate General should be well done. The office was established for the protection of the private soldier. In the first place, it is the duty of the Judge Advocate General to consider all the findings of Courts Martial in the Army, and he is empowered to set aside any finding of a Court Martial which is not justified by legal evidence. Again, the Judge Advocate General may go a great way to secure the equity and the equality of sentences of Military Courts. A right hon. Gentleman who was Judge Advocate General for five years has told us that where he thought the severity of sentences was excessive, he made representations on the subject in the proper quarter, and that in every case except one his representations received attention. A Committee of this House has reported that the office ought to be entirely independent of the Military authorities, that the Judge Advocate General ought to be a lawyer of high standing, and that he should be adequately remunerated. It has been said that the Department is overmanned; in fact, some little time ago the office of one Deputy Judge Advocate was abolished. Now, it seems, there is important work to be done in respect to the sister service, which might be appropriately discharged by the Department of the Judge Advocate General. At the present time the findings of Naval Courts Martial are not submitted to the corresponding officer—namely, the Judge Advocate of the Fleet, unless the Admiralty choose to so refer them. The proposal I would throw out is that the Department of Judge Advocate General might be properly utilised by making the findings of Naval Courts Martial subject to review and scrutiny in the same way in which the findings of Military Courts Martial are. Another portion of this Vote relates to military prisons. The Committee which sat upstairs last year devoted considerable attention to this subject, and reported that the whole of the question seems to require the careful consideration of Parliament and of the Secretary of State. Certain facts were brought before the Committee which justified that recommendation. It was found by a Return, prepared by Mr. Knox of the War office, that the cost of the establishment of military prisons in 1887-8 was over £72,000, and attention was also drawn to the fact that in the United Kingdom alone we maintain no fewer than nine military prisons, although the daily average number of prisoners in these prisons was for the last recorded year only 865.

The Committee suggested that the number of these military prisons should be considerably reduced and the cost thus diminished, and they were supported in that suggestion by Colonel Lascelles, who holds a very high office in the Army. The right hon. Gentleman has had that subject apparently under his consideration, but he has not reduced the number of military prisons on account of the cost of transporting the prisoners which would thereby be incurred. Well, that argument deserves very great weight, but at the same time I must point out that it was obviously before the minds of the Committee when they made their suggestion, and they evidently thought that, notwithstanding some increased cost of transport, the expenditure, upon the whole, would be very materially diminished by the reduction of the number of prisons. The right hon. Gentleman has, however, reduced the establishments of the prisons, although he has not diminished their number. Now it is very satisfactory, as a rule, to find establishments cut down, but it is very important that they should be cut down judiciously. There is one respect in which the cost has been diminished to which I invite the attention of the right hon. Gentleman. In respect of seven out of the nine military prisons, the Governor is to be replaced by a chief warder with a salary of £125 a year. Now, I ask the right hon. Gentleman whether he considers it safe that the chief control of a prison, of all institutions in the world, should be entrusted to a person whose qualifications are considered to be adequately remunerated by a wage of £2 10s. a week? I think in this matter the desire to cut down the estimate has prevailed over the interests of the soldiers. There is one respect in which it seems to me that the number of military prisoners might be materially reduced. I refer to the number of times which some of these prisoners have been convicted. I find that one man has been convicted of violence and disobedience to superiors no less than 14 times; another man has been convicted 13 times of being absent without leave; another 12 times of drunkenness; another 10 times of disgraceful conduct. Now, I think that the Army must run a great risk of being demoralized if you permit men to remain in it who have been convicted of disgraceful conduct as many as 10 times. I think it would be well from every point of view if men of that description were regarded as very bad bargains, as far as the Army is concerned, and got rid of. One word with regard to flogging. I find that 29 soldiers were flogged in military prisons in 1887, and that there is a remarkable disparity between the numbers of floggings in different prisons. No less than 12 men were flogged in Brixton Prison. Gosport Prison contains about the same number of long term prisoners, and I find that, whilst in Brixton Prison, out of 1,231 men, 12 were flogged; in Gosport Prison, out of 689 prisoners, only one was flogged. I should like to know who is responsible for the floggings in the two prisons. This is a matter of very considerable importance. Some years ago Parliament deliberately abolished flogging in the Army in time of peace, but we find we are reduced to this anomaly that, whilst we understand that soldiers cannot be flogged for military offences in time of peace, by the facile intervention of the military prison they can be flogged, and merely for offences against discipline and not of a disgraceful character. I think that is a matter well deserving the attention of the right hon. Gentleman and the country. I had put down a notice on the Paper to reduce this Vote by £5,000, but I have discovered since I put that notice down that the cost of military prisons has been reduced this year, as compared with last year, by £4,000, so I think it would be hardly reasonable on my part to move the reduction as I originally intended; but in order to secure some explanation from the right hon. Gentleman upon the matters I have touched—and more especially in regard to the present tenure of the office of Judge Advocate General—I will formally move the reduction of the Vote by £100.

Motion made, and Question proposed, "That £28,900 be granted for the said Service."—(*Mr. Pickersgill.*)

COLONEL NOLAN (Galway, N.): The hon. Member has raised two questions of considerable interest, and certainly I should like to hear a little more about the position of the Judge Advocate General. At the present moment we have the absolute anomaly of a Judge

Advocate General receiving no pay, and I am sure you cannot expect to have the duties of an office discharged as they ought to be under such a condition. For my own part, I was never in favour of the abolition of the office of Judge Advocate General, and I see much objection to throwing the whole of the administration of law in the Army upon the Commander-in-Chief and his staff, and such would, to a great extent, be the case if the office of Judge Advocate General were abolished. On the whole, I think Courts Martial are fair tribunals, though in complicated cases they may be inefficient; they mean to act fairly, however, and that is a great element in a Court of Justice. But the presence here of the Judge Advocate General is the one means by which the House can exercise power over the Army administration in regard to Courts Martial. It is to him we direct our questions and remonstrances. We have the power now, but in an intangible fashion, because though the holder of the office sits here, there is no salary for him upon these Votes, nothing for us to take hold of. The only other means we can have of obtaining information and keeping control is through much fuller returns of Courts Martial proceedings being periodically laid before the House—I do not mean the evidence, but all other particulars. But I very much prefer to have the Judge Advocate General here to answer, and I do not think sufficient reason has been shown for the abolition of the office. But for some personal matters in reference to the holder of the office, I do not suppose there would have been any desire to abolish the office, and it has always appeared to me to involve a grave constitutional question touching the control of the House of Commons. There was another matter to which the hon. Member for Bethnal Green referred, and I confess he somewhat surprised me. He said that soldiers in military prisons could be flogged by the intervention of the Military Authorities. Of course convicts, whether military or civil, should be subject to the same prison discipline, but if it is the case that soldiers in military prisons can be flogged under circumstances when such a punishment could not be inflicted upon civilians, then I say that is altogether at variance with the decision arrived at when the question of flogging in the Army was fought out some years ago in this House. It was a disgraceful practice that of flogging. I have known it inflicted for the most trifling infringement of a camp rule, and it was rightly abolished. On the facts as presented by the hon. Member I offer no opinion, but I think they desire some explanation.

MR. HANBURY (Preston): In one of the speeches made lately by the Adjutant General we were informed that half the military prisons were empty, and I think it is well worth the attention of the Secretary for War whether it would not be possible to reduce the number of these prisons.

*MR. STANHOPE: If my hon. Friend will allow me to interrupt him, I did reduce the number by two last year, and I have reduced them by two this year since the Estimates were presented.

MR. HANBURY: That is a satisfactory announcement, and I hope the right hon. Gentleman will go still further in the same direction. It will be remembered that Colonel Lascelles, in his evidence before the Committee, went so far as to express his opinion that three military prisons would be sufficient—two in Great Britain and one in Ireland. Of course, I know that there would be additional cost in the conveyance of prisoners longer distances, but this would be more than balanced by a reduction in the number of prisons; the cost of their maintenance is very large, and it would take a large amount of travelling expenses to equal it. However, it is very satisfactory to know the right hon. Gentleman has gone so far in this direction, and I hope he will proceed still further. Then a word or two as to the way in which these prisons are filled. There are two sets of prisoners who largely fill these military prisons. Habitual criminals in the Army, though few in number, are the cause of nearly all the crime according to Lord Wolseley, and I should like to know what steps are being taken to deal with this small percentage of men. Sir E. Du Cane, the Inspector, in his last Report—which, as usual, was late in being issued—deals with a matter in relation to military prisons that deserves some attention. He points out that though sentences of imprisonment under Courts

Martial have been shortened, the diet has not been reduced as it ought to be in military prisons, and there is a great tendency among certain classes of military offenders to seek short terms of imprisonment as a comfortable change from work outside. Sir E. Du Cane says further that these prisons are a haven of rest to the habitual criminals in the Army, and he gives a remarkable instance of a man who, in April, 1878, deserted from the 14th Regiment and soon after re-enlisted in the 16th Hussars, and again deserted; then in May joined the 12th Regiment, went to India, served two terms of six months' imprisonment, and yet deserted and re-enlisted four times afterwards. I think this shows that military prisons have not a deterrent effect. Sir E. Du Cane suggests several remedies to prevent these repeated desertions and re-enlistments, and one of them seems to me simple and practicable, and that is that Courts Martial should be given the power of sentencing a man to police supervision in certain cases where discharge from the Army follows upon his punishment. If the Police Authorities were in communication with the Recruiting Department, the authorities at recruiting stations would be kept informed of the movements of discharged soldiers, and the chances of such discharged men re-enlisting without detection would be materially lessened. Another, and the main, source of crime in the Army is drunkenness, and of course this is difficult to deal with; but I do hope my right hon. Friend will, in relation to this evil, consider the question of the sergeants' mess. I am told by several authorities, and not to mention names of particular officers, I may refer to Major Buxton's book on Army administration, that much drunkenness may be traced to the way in which young soldiers are induced to get beer from the sergeants' mess. It is forbidden to obtain drink in this way, and so the price of it is enhanced to the advantage of the mess. It has been suggested that a check might be placed on drunkenness arising from this cause by requiring a list to be kept of all to whom beer is supplied; but not being a military man, I do not know how far this is practicable. Major Buxton is a well known authority, and his remarks on this subject are well worthy of attention.

Mr. Hanbury

*Mr. BRADLAUGH (Northampton:) I may, perhaps, take this opportunity of recalling the attention of the right hon. Gentleman to a case I brought to his notice, and he was courteous enough to give me a reply, but it left me in some doubt as to how far the Military or Civil Authorities were responsible for what occurred. If I just mention the circumstances that may recall the case to the right hon. Gentleman's recollection. It was a case of a man—a malingerer no doubt—who was sentenced to be flogged in gaol and who produced some sores on his back where he expected to be flogged. He was flogged on another part of his back, and other sores were produced, and certainly the man died from the flogging. I am not in a position to say on whom the responsibility of this rests, but I would suggest that a man must be almost a lunatic who would carry personal disfigurement of himself to that degree that flogging endangered life. Death resulted under circumstances of such a grave character that no doubt the right hon. Gentleman caused inquiries to be made, and I shall be glad to learn the result of such inquiries. I should not have risen for this alone. I feel bound to say I do not share the opinion of my hon. Friend (Mr. Pickersgill) as to the value of the Judge Advocate General. I do not know whether the value of this official to the private soldier has increased since I was a private soldier, but I can assure the Committee that then it was absolutely nil so far as we were concerned. Acting as orderly room clerk the proceedings of Courts Martial passed through my hands, and I had some opportunity of forming a judgment. Regimental Courts Martial proceedings did not then come before the Judge Advocate General at all. I do not know whether any change has been made in later years, and the bulk of Courts Martial are regimental. I think it is excessively awkward to have a Judge Advocate General sitting here without a salary, and to whom we have no right to make appeal. It would be far better, I think, to sweep away the office, leaving responsibility with the Secretary of State for War. I hope there is no intention of keeping an office open to which a salary may again be attached by this or a future

Government. It would be better to abolish it altogether. I find myself quite unable to agree with the hon. Member for Preston in reference to the diet in military prisons, unless, indeed, the scale of diet has greatly changed since I was in the Army. I cannot speak from actual experience, though I came pretty close to it, but I know from conversation with comrades that the prison treatment was regarded as something terrible. I know that from having talked with men who had suffered the punishment, and I had rather a bad reputation among the officers as a kind of unprofessional lawyer with whom the men discussed their grievances. I may hope my then captain has not borne me altogether in ill remembrance from kindly words he has since spoken of me. But I apologize to the Committee for lapsing into personal matters. I can assure the hon. Member for Preston that I never heard of a man, however bad his character, who desired a short term of imprisonment the treatment and discipline was too severe for that. In fact, I have known men rendered quite incapable of performing the ordinary duties of a cavalry soldier after undergoing a 28 days' sentence. The food was at the minimum, the labour was terrific, consisting as it did in marching about picking up and carrying shot. The continual stooping and marching round on this monstrous and useless task is a most severe strain upon the system. On behalf of the men, whose uniform I once wore, I think this much should be said. I disagree with the readiness to turn men out of the Army for what are called disgraceful offences. Of course, a man guilty of a crime that may really be considered disgraceful ought not to be kept in the Army; but when we should consider that some small theft, being followed by discharge from the Army, may have a tendency to encourage the commission of such offences as a means of procuring a discharge.

*MR. E. STANHOPE: I am sorry I do not carry in my memory the case to which the hon. Member for Northampton referred.

*MR. BRADLAUGH: The man in question died at Canterbury.

*MR. E. STANHOPE: I have not the details in my recollection to enable me to answer; but I have made a note of the matter, and I will give the hon. Member all information I can procure. In reference to what has been said about flogging, I say at once I have not the slightest interest, directly or indirectly, of reintroducing this form of punishment in the Army. It was swept away by Act of Parliament, and I am the last person to wish to run counter to the view Parliament expressed. The flogging inflicted in military prisons is under precisely the same conditions as it would be inflicted upon civilian convicts; there is not the slightest intention of making it a special penalty for soldiers. As to the military prisons we had a good deal of evidence before the Committee, and Colonel Lascelles went so far as to suggest the reduction of the number of prisons to three. We looked carefully into the matter, and we invited Colonel Lascelles to prepare his scheme. He did so, and a careful estimate was made of the cost. We found, from facts that we could not get together before the Committee, that the cost of conveying prisoners would be so largely increased if so many prisons were abolished, that there would not be the large saving that, in the first instance, Colonel Lascelles supposed there would be. But we found that reductions might well be made in the number of prisons, and so we closed two last year, and this year two more—Taunton and Naas—thereby effecting a saving of £1,200 a year. These reductions were carried out upon the suggestion of Sir E. Du Cane, the Inspector of Military Prisons, whose experience can be relied upon. I am ready to consider the possibility of carrying the reductions further, but I am afraid we have almost reached the limit, and it may be that we may have to establish additional military prisons abroad. At home, however, I hope there will be no such necessity, and there is just a possibility we might make a further decrease. The hon. Member for Bethnal Green condemns the putting military prisons under the charge of chief warders; but here again we adopted the suggestion of Sir E. Du Cane, and I think we may rely upon his judgment and experience. The hon. Member for Preston has made various interesting suggestions, largely based upon the Report of Sir E. Du Cane, for reducing the amount of crime in the Army, and with the object of my

hon. Friend I cordially sympathise. Drunkenness, I am glad to say, is on the decrease. Fines for that offence have largely decreased since last year. My hon. Friend made allusion to the serjeants' mess, and that is a matter that has been under my attention more than once. I would rather not express an opinion upon this point at the moment; but I can promise that this matter shall be carefully looked into, and I will state my view at no distant date. And then I come to the position of the Judge Advocate General. He remains exactly as before, except that he receives no salary. There was, as we know, a strong feeling expressed in the House against a salary being paid to the Judge Advocate General, while others thought the salary should be reduced. I am of opinion that a high legal authority, independent of the Military Authorities, is essential, not necessarily and technically a Judge Advocate General, but some high legal authority. I cannot help thinking that circumstances have arisen, and will arise, when, for the protection of the private soldier, such an authority has been, and will be, invaluable. The present Judge Advocate General gives the same careful attention to the discharge of his duties as heretofore, and he has kindly undertaken to hold the office pending the reconsideration of the position. We have not yet had a full opportunity of coming to a decision as to the best means of solving the problem, and I must confess the recommendations of the Committee on the point are difficult to reconcile. Meanwhile, I am glad to say we shall have the services of the Judge Advocate General.

*Mr. CAMPBELL-BANNERMAN (Stirling): I am extremely glad to hear that there is no intention of dispensing with some legal authority of high position to discharge the functions hitherto discharged by the Judge Advocate General. I never joined in the outcry against the office, and I think it is absolutely necessary to have a lawyer of position in his profession to review and revise military sentences. I do not go so far as to say, as is sometimes said, that every private soldier derives satisfaction from the knowledge, he has this safeguard at the War Office; but whether he knows it or not, there are others who it is right should know it, and it is most essential for the interests of the Army that in some form such an official as a Judge Advocate General should be maintained. A proposal has been made for filling the office which I am rather chary to accept. It is that we should appoint, in this capacity, a third Law Officer of the Crown at the expense of the other two. However that may be, I would join with those who have impressed on the Government and the Committee the necessity of continuing the office of Judge Advocate General. Of course, the right hon. Gentleman cannot speak on behalf of the Admiralty as to what they do in reference to naval court martials. The decisions of those courts are much less the subject of review than those of military court martials, and I think it would be of great importance in the final arrangement of the matter that if possible Naval and Military Court Martial proceedings should be submitted to the same public functionary, so that, allowing for the necessary differences in the laws affecting the two services, there should be at least some uniformity in their judicial procedure.

Major RASCH (Essex, S.E.): Allusion has been made by the Secretary of State and the hon. Member for Preston (Mr. Hanbury) to drunkenness in the Army. The cause of that, as everybody knows, is that the men are insufficiently fed, and not unnaturally they go to the canteen and fill themselves up with something else. The cure for fraudulent re-enlistment is to so mark—not brand—a man who is discharged for improper conduct that he cannot enlist in any other corps. The abolition of the Judge Advocate General's salary would not lessen the expenditure to any great extent, as the staff would still have to be paid.

*Mr. PICKERSGILL: I am not altogether dissatisfied with the discussion which has taken place upon the question which I have raised. In the first place, it is satisfactory to know what we did not know before, that two more military prisons are to be closed. I think that the Government are proceeding upon the right line. In the second place, we are told that the question of the office of Judge Advocate General is under the consideration of

the right hon. Gentleman. I was delighted to hear the right hon. Member for the Stirling Burghs (Mr. Campbell Bannerman) support me in my contention that the findings of naval courts-martial should be subjected to some such review as those to which the findings of military courts-martial are now subjected. With regard to the present holder of the office of Judge Advocate General, we are told that the right hon. Member for Brighton (Sir W. Marriott) devotes adequate time and attention to the duties of this office. I regret, if that is so, that the right hon. Gentleman has not thought it worth while to come down to-day, and answer for the department for which he is nominally responsible. If there were any means open to me of attacking the right hon. Member for Brighton, I would avail myself of it; but, unfortunately, there is no Vote in his name, and I do not think it would be logical to reduce the salary of somebody else solely for the purpose of condemning his action. I therefore beg to withdraw the Amendment.

Amendment, by leave, withdrawn.

Original Question again proposed.

MR. HANBURY: Is it the fact that the Judge Advocate General gets nothing for his services, neither fees nor salary?

*MR. E. STANHOPE: The fact is, that at this moment he gets nothing whatever.

*SIR F. FITZWYGRAM (Hampshire, Fareham): I would suggest that instead of regimental courts-martial there should be "station" courts-martials, consisting, as far as possible, of officers from different regiments, but having the same powers as regimental courts-martial. I do not say that any injustice is done by a regimental court-martial, but it is perfectly clear that a great injustice may be done. The distinction between the two sorts of court-martial is this—that a regimental court-martial is ordered by the commanding officer of the regiment, and consists exclusively of officers of the regiment, the finding being approved by the commanding officer himself; whereas a station court-martial would be composed of officers of different regiments, and the finding would be confirmed by an independent authority. I think most officers will substantiate me when I say that under the present system it is perfectly possible for some tyrannical officer to abuse his authority especially in regard to officers who, sitting upon a court-martial, are obliged to disagree with him in the opinion he may have formed; and I have known many such cases. The hon. Member for Bethnal Green has complained of the retention in the Army of bad characters; but I think that the hon. Member and those who sit on that side of the House are mainly responsible for that. It is found quite useless to discharge men from the Army because they have the power of re-enlistment. If power were given to mark in some slight manner a man who is discharged from the Army, we should be able to get rid of bad characters. At Aldershot we have a military prison which generally has 150 prisoners, and as fatigue duties are complained of, I do not see why these prisoners should not be employed to perform those duties so as to relieve the better conducted soldiers. My own opinion is that though the work might not be so hard, yet it would be more irksome and disagreeable to these men to be employed in doing the camp work whilst the better conducted men thereby got relieved from fatigue duties. The same applies to other stations, where there are military prisons.

COLONEL NOLAN: I quite agree that it is an anomaly, so far as the Judge Advocate General is concerned, to have an officer of professional standing without any salary attached. It has been asked why the Judge Advocate General is not here to-night. Why should he be here if he receives no pay? I think that the hon. Member for Bethnal Green has done good service in drawing attention to these matters. The House of Commons has now lost its control over the Judge Advocate General; and I think it is a significant fact that he is not here to-night to answer for the Department. Personally, I am altogether against the abolition of the office.

MR. AMBROSE (Middlesex, Harrow): With regard to the office of Judge Advocate General, I can understand the Government abolishing the office altogether, but I cannot understand why they should keep up the office if there is to be no salary attached to it. Hitherto, when we have allowed a court martial to invade the liberty of the subject, there

has been this safeguard—that there was a high legal authority who could be consulted, and who would keep the Military Authorities within their proper jurisdiction and within certain lines. I trust that the Government will speedily see their way to settle the question, not only by continuing this office but by seeing that the officer is properly remunerated. By that means they will command the services of men worthy to fill the office who will possess the confidence of the House.

Question put, and agreed to.

(3.) £299,500, Medical Establishments and Services.

*Dr. FARQUHARSON: I suppose it would not be of much use if I were to appeal again to the right hon. Gentleman to postpone this Vote until the Departmental Committee have reported, and I presume, therefore, that it will be passed without any serious discussion, because, in the absence of information from the Committee, it would be fruitless to offer any serious remarks upon the Vote. I congratulate the right hon. Gentleman on the appointment of the Committee. We have been hammering away Session after Session trying to get some sort of inquiry into Army medical matters, and at length a Committee has been appointed. No doubt the non-effective Vote has grown very large; but the difficulty to be encountered would be very great if by stopping the inducements now offered to men to join the Medical Department of the Army it were found that the supply did not equal the demand. There were many complicated questions which required the consideration of a Committee. We all know that the Medical Department is full of discontent now, and there are numerous questions which could only be thoroughly thrashed out before a Committee. What I do hope is that when the Committee report their decision will be regarded as something like a final settlement, so far as Army medical matters are concerned. At present things are in a state of great unrest; and I sincerely trust that something like finality will be reached, so that we may not be compelled to come down here year after year to worry the Government, and that things may go on pleasantly for some time to come. So far as the composition of the Committee is concerned, I have no objection to make against it, although of the two gentlemen selected by the College of Physicians and the College of Surgeons one had only seen service in India, while the other had only seen service in the Guards. I think it would have been better if someone had been on the Committee who would have been able, of his own personal knowledge of the Service, to cross-examine the witnesses. But, on the whole, I think it was a fairly good Committee, and I trust they will give a liberal consideration to the points which have been put before them. The right hon. Gentleman has been blamed for having selected, as members of the Committee, two representatives from English corporations and not one from Ireland. What my right hon. Friend did was to apply to the College of Physicians and the College of Surgeons to recommend two highly-qualified medical men to sit on the Committee, not to represent those two corporations only, but the profession generally. I should be glad to be informed when we are to have the Report of the Committee; whether it is likely to be presented before the end of the Session; and whether the evidence will be presented with the Report?

Mr. A. O'CONNOR (Donegal, S.): Before the Vote is passed I should like to ask if it is a fact that typhoid fever has broken out in the Ship Street Barracks, at Dublin, within the last fortnight? I also wish to know whether any inquiry has been made in regard to the system of ventilation and the drainage of the barracks at Dublin, and also into the character of the water supplied to the soldiers, and the filters, if any are used in the barracks? The Royal Barracks in Dublin have been a perfect charnel-house for some years past. I can recollect when the noble Marquess the Member for Rossendale (the Marquess of Hartington) was Secretary for War, some years ago, that I directed his attention to the insufficient medical inspection of the troops and the arrangements which were then made upon that occasion, and subsequently I received assurances that every necessary step would be taken. But, nevertheless, officer after officer and man after man continued to die in those barracks until last year. Other officers and men died

in a second barracks, and now typhoid fever has broken out in a third. If this is true, I would ask the right hon. Gentleman to cause a searching investigation to be made as to the character of the water supplied to the troops. I would further ask whether typhoid fever was not present some years ago in the barracks at Fermoy and in other barracks in the South of Ireland, and whether there has been a proper inspection of the filters?

*MR. E. STANHOPE: I am quite prepared to answer the questions of the hon. Member at once. I have not heard of ony recent case of typhoid fever in Ship Street Barracks, although no doubt one or two cases have occurred there. I do not know whether the hon. Member may not have confounded the case of Richmond Barracks with the Ship Street Barracks, where, I am sorry to say, there have been one or two cases. The sanitary arrangements in Richmond Barracks have been carefully inspected, but I have not yet received a Report, and I am not able to say whether any defects in the drainage have been detected. It is, therefore, too soon to say what the cause has been. We have paid particular attention to this question of the water supply at the Royal Barracks, and the Report to which reference has been made, when it is submitted, will, I think, show that the authorities are satisfied that there is no reason, in the barracks itself, for the continuance there of typhoid fever. I hope that before the close of the Session the Report will be laid on the Table of the House—whether the evidence can also be produced I cannot yet say—but I can assure the Committee that I am most anxious to lay all the facts before hon. Members to enable them to form a proper judgment upon them.

*COLONEL BLUNDELL (Lancashire, S.W., Ince): I consider that there is something very faulty in the medical system in the Army. Some years ago there was a regimental system under which there were two and sometimes three medical officers with each battalion. They had only the practice which their own battalion gave them and that was, of course, very little, so that the tendency was to sink the medical profession in the soldier. No doubt the system required alteration, but I am afraid we rushed into the opposite extreme in determining that the medical officer who, in the past, had been all soldier should, in the future, be no soldier at all. Under the present system in the event of a man being attacked with illness at night there is no doctor on the spot to attend to him and one has to be sent for. The doctor cannot check malingering as effectually as he would be able to do if he were attached for a period to the battalion and had a thorough knowledge of the characters of the men. Such knowledge, too, would protect good men whom a stranger might suppose to be malingering. I would draw attention to another point—namely, the practice of employing in peace time retired medical officers to do home service. This system increases the proportion of medical officers on foreign service, and it does not give civil practitioners an opportunity of acquiring a knowledge of medical service in the Army in peace time, so as to render them useful in time of war.

MR. HANBURY (Preston): The right hon. Gentleman the Secretary for War is, perhaps, not in possession of all the information in regard to Richmond Barracks, where the deaths have been very considerable. The South Wales Borderers have already had several officers and men attacked with typhoid fever, and one has died. We pay our medical officers very large salaries, and yet it is never until typhoid fever has broken out that it is discovered that the drains or the water are wrong. Paying the salaries we do we ought not to have to wait until diseases break out, but our soldiers ought to go into barracks knowing that they have been thoroughly inspected and found in a proper sanitary condition. This is no old question, this amount of sickness in the Army. It is something appalling that even in Great Britain and Ireland every day about 5 per cent of our soldiers are on the ineffective list owing to ill health, and this ill health, I believe, is in a great degree due to the insanitary condition of many of our barracks. Many lives have now been lost through this cause in Dublin, and what the Committee would like to know is, who is responsible for the sanitary state of these barracks? There are medical men receiving large salaries whose duty it is to see that the barracks are in a healthy state, but the

unhealthy state is only discovered after the deaths occur. Some persons are responsible, and, whoever they are, they ought to be punished. Looking at the Reports of some of the medical officers of the Army we see remarks made as to the clothing of the men. There is a good deal of sickness in the Army—a good deal of consumption—and when we have, as at present, so many young men entering the service, I think greater care ought to be taken of their health in the matter of clothing than is taken at present. We hear, even from the southern districts, that the clothing is insufficient. The young men should have a warm cloth tunic like the older soldiers——

THE CHAIRMAN: The hon. Member is now evidently travelling outside the Vote before the Committee.

MR. HANBURY: This question arises out of the Reports of the medical officers whose duty it is to report upon matters affecting the health of our troops.

THE CHAIRMAN: The hon. Member cannot criticize a Department which is not connected with this Vote because of Reports made by medical officers whose conduct in the matter he does not object to. What he is objecting to is not to the Reports of the medical officers, but to the fact that those Reports are not carried out.

*MR. STANHOPE: It is not the medical officer who is responsible for the condition of the barracks; the principal engineer is the person in charge of the barracks. But with regard to the Dublin Barracks, I can not attach blame to any one. It has been proved that the drains are well looked after, and the source of the insanitary condition is up to the present a mystery, which it is hoped that the inquiry now proceeding will solve. Probably it is connected with the general condition of Dublin.

MR. A. O'CONNOR: It is true that an eminent engineering authority, who has carefully investigated the arrangements existing in one of the barracks, where there has been a great deal of sickness and mortality, has come to the conclusion that this sickness is a very mysterious matter, there being nothing the matter with the drains. This shows that engineering inspection is not adequate nor sufficient to meet the difficulty. I submit that the fault lies with the medical authority. Some years ago—in 1877—when there had been a great deal of zymotic disease in Fort George it was found that the water was bad. When this was subjected to filtration every trace of disease disappeared. Possibly the sickness in the Dublin Barracks is traceable to an impure water supply consequent upon contamination from the Liffey, which is in a disgraceful state.

*MR. STANHOPE: In a very short time we shall know the result of the inquiry as to the water supply at the Richmond and Royal Barracks, and if, after the Report is received, I see any cause for it I will extend the inquiry.

*SIR W. BARTTELOT: Nothing is more important to the health of our troops than that the barracks should be in a perfectly sanitary condition. The present state of things in Dublin particularly has been going on for years, and some determined action is necessary. It is a scandal that men should die owing to the insanitary condition of any of our barracks.

*MR. STANHOPE: I am precluded from pointing out in detail the steps that are being taken, as it would be out of order on this Vote.

MR. HANBURY: I think that before this Vote is taken we ought to be distinctly informed as to what is the responsibility of the medical officers in regard to this matter. We seem to be driven for responsibility from the medical officers to the engineers, and then from the engineers back again to the medical officers. We are entitled to know how far it is the duty of the medical officers to see that our troops are not sent to barracks where their lives will be put in jeopardy.

LIEUTENANT GENERAL FRASER (Lambeth, N.): Having had command of the Royal Barracks many years ago, it is a great consolation to me to know that the Secretary for War is throwing all his energies into the question. I notice that he went over to Dublin the other day to inquire into the subject, and I do hope that the mystery which he speaks of in connection with the outbreak of fever will be put an end to. The head of the Military Hospital at Kildare, a very eminent man, has told me that it is not the quays of Dublin which are unhealthy but the streets behind the

quays. The Royal Barracks are behind the quays and all the foul gases are thrown into them when the Liffey rises. Some years ago, when a disease broke out among the horses, I had the asphalte taken up, and found underneath it a thick deposit of black mud, which instead of being cleared away had been merely covered over. I am glad the Secretary for War is taking up the question, and I can assure the Committee it will not be allowed to drop now.

MR. BRUNNER (Cheshire, Northwich): Will the right hon. Gentleman give us the date of the last analysis of the water? I do not know whether these barracks have been under the control of a Medical Officer of Health, but it seems to me a matter of duty on the part of the Medical Department of the Army to provide every now and then for the analysis of the water supplied in every barrack in the three Kingdoms.

*MR. E. STANHOPE: I can state that an analysis of the water supplied to the Royal Barracks was taken by the Medical Officer concerned not very long ago, but a second analysis has now been taken at the request of Mr. Rogers Field, with what result I do not know. The result of the first analysis was favourable to the water.

*SIR F. FITZWYGRAM (Hants, Fareham): There is very little complaint made against Army Medical Officers of want of care or attention. I was in command of the cavalry at Aldershot for some five years, and I do not think there were during that time more than four or five complaints of want of attention, and all of these on being investigated were completely disproved. So far so good. But there are, however, serious —and I fear well founded—complaints of want of practical skill on the part of the Army Medical Officers. I have nothing to say against the young men selected for the Army Medical Department. They are appointed by competition, and are no doubt well qualified, both socially and in theory. The evil arises not from the class of men selected, but from the want of practice in the Army after they join the service. Our soldiers are young men in the prime of life and the vigour of health. Every man in the Army whose constitution is even slightly impaired is at once discharged. The result is that there is and must be want of practice, and, in consequence, want of practical skill. Theory without practice is of very little use. I would sooner be treated by a thoroughly practical man without much theoretical or scientific knowledge than by a scientific man who had no practical knowledge. Let me take the cases of two young medical men, both of whom are well qualified. They get their diplomas at the same time, and, while one goes into the Army Medical Service, the other goes into civil life. The latter attaches himself to some medical man of large practice in one of our great towns, and I will be bound to say that at the end of his first week he will have seen more practice and obtained more practical knowledge than the young man in the Army at the end of his first year. I will also be bound to say that at the end of his first year the young man in civil life will have seen more practice than the Army man in the course of his whole 21 years of service. The Army consists of 220,000 healthy lives. I will add to that 20,000 women and children, making 240,000, generally speaking, healthy lives, committed to the charge of the Army Medical Department. The medical men in the Army List this year number about 980. I will knock off 20 per cent for medical officers on leave, on sick leave, on sanitary duty, and specially employed, and I should then have say, 800 surgeons. Dividing 240,000 by 800, I find that the number of healthy patients that each medical officer has to treat is about 300. If we reduce the uumber of medical officers to 600, each of them would still have an average of about 400 healthy people to attend to. That is not sufficient for the proper training of the medical officers and their progress in knowledge and skill. It is not very easy to find a remedy, but I have given a good deal of time and thought to the question, and I wish to suggest to the Secretary for War a measure which will, I think, not be distasteful to the Army Medical Department, and not be unacceptable to the Chancellor of the Exchequer, as it will be carried out without any increase of expense, and will probably have a good effect. I should like to see every military medical officer given six months' leave once in every five years of his term of service on the understanding that he shall occupy those six months in attending medical schools

and hospitals. I would not place any onerous obligations on them. I have great confidence in them and believe they would employ their time to the best advantage in the interest of the soldiers they have to treat. A further suggestion I would make is that when our medical officers are stationed in large towns where there are large hospitals, the Director General of the Medical Department should encourage them to take advantage of the practice of these hospitals. Many years ago I was quartered in one of the great Northern towns where there were some of the best hospitals and schools in the world. Our then Assistant Surgeon was grossly ignorant, and I suggested to him as mildly as I could that he should avail himself of the medical schools and hospitals of the town to improve his knowledge. He did not take my advice and never once went near the medical schools during that year. In about a year and a half he was promoted to the rank of full Surgeon and sent to India, and all I can say is, God help the regiment to which he was sent!

*Dr. FARQUHARSON: I am sorry to disagree with the hon. and gallant Baronet, but I think that the Army is an extremely good field for keeping up practical knowledge. Besides the men there are the women and children to look after, and a man increases his experience by service abroad in a great variety of temperatures and by the sanitary work he has to do. I think that the practice of the Army is of a much less routine and a more varied character than ordinary medical practice. It must also be remembered that the Army Medical Officer has to pass a very severe examination before entering the Service. At the same time I regard the plan of having six months' leave as a very good one and as well worthy the attention of the Government.

Colonel NOLAN: I think there ought to be some means by which the Medical Department could be largely extended in time of war, and I am of opinion that provision ought to be made for that purpose in times of peace.

*Mr. E. STANHOPE: I am glad to say there is a scheme now in operation whereby a reserve of medical officers—that is to say, men who have been in the Army Medical Department and have retired—are liable to serve, and I have no doubt would gladly serve, at the base of operations in the event of war.

Vote agreed to.

(4.) £530,000, Militia pay and allowances.

Mr. R. G. WEBSTER (St. Pancras, East): I wish to make a few observations with regard to this Vote. Although I see that in 1889-90 the expenses of enrolling the Militia are put down as much less than they were last year, I find that the force itself appears to be in a gradually decreasing condition. In 1887-8 there was a decrease in the *personnel* of the Militia of no less than 1,770 men, and last year there was a decrease of 2,185 men. The establishment strength of the Militia is supposed to be 141,000 men, but at the training in 1888 there were only 101,000 present. This being so, the force is unnecessarily expensive because you have to keep up the permanent staff. And I think it eminently wrong that the £1 bounty should not be, if a man joins the Army, charged against the Army Vote, instead of against the Militia Vote, for the Militia forces gain nothing at all. You would keep a larger number of men in the Militia if they were drilled immediately prior to their training, by their own officers, and then that their own officers should have charge of them. Another reason why the Militia are not as strong as they were in some years past, is that you have effected a very false economy by the abolition of the system of "bringing-in" money. The men, after their training, used to go to their homes, when that system was in operation, and tell their neighbours of the advantages of being in the force. When the recruiting officers went round, the men found it to their interest to bring recruits to the regiment to which they personally belonged. But now you have done away with that system they have no inducement to bring men to the Militia from the factory, workshop or mine, or agricultural pursuit in which they are employed. Considering the Militia have only 27 days' training they do very efficient work. No doubt you cannot expect a man after 27 days' training to be a first-class shot, but, for the amount of time he has to practice, the Militiaman is fairly efficient for the

purposes for which he may be required. The Militia is a cheap force, and it draws on a class of the population that would not otherwise be touched for military service. It is desirable that there should be some alteration in recruiting for the Militia, and that we should not find year by year that there are about 2,000 less men in the Militia service.

*SIR W. BARTTELOT (Sussex, North West): I think my right hon. Friend himself will see that the Militia regiments are not in that satisfactory state which we ought to expect in so old a constitutional force as the Militia. The highest number at which the force can be put is 141,444, but we have only 101,000 men now. If you deduct the 30,000 forming the Militia Reserve from that 101,000 you find you have only got 70,000 men left. I want my right hon. Friend to encourage the Militia a great deal more than in the past. The force is not in the condition in which it ought to be. By the Report of the Inspector General of Recruiting, I find that in 1885-6 there were 40,011 recruits for the Militia; in 1886-7, 36,843; in 1887-8, 31,815 only. But all this time the Militia has not been increasing; the number of recruits also has been decreasing; and in addition to that there is a very large number of desertions. It is quite true that last year there were not so many. But in 1884 there were 8,492; in 1885, 10,924; in 1886, 10,680; and in 1887, 10,282. In 1888, it is true, there were 8,795, but that is a very large number for a force such as the Militia. There must be some reason for these desertions. I know my right hon. Friend is trying to organize to the best of his ability the whole of the Reserve Forces, and it is a scandal to the country that it has not been done long ago. We have at the present time at home something like 500,000 men, including the Army, the Army Reserve, the Militia, the Yeomanry, and the Volunteers, and I most unhesitatingly say that they are not properly organized. Looking at the present position of Europe, we have no right to delay for one moment the organization of these Forces which are amply sufficient for the defence of this country, if put into a permanently efficient state. I believe when the Militia were joined, as they were said to be joined, to the regiments of the Line, 1st and 2nd battalions of the Line, and 3rd and 4th battalions of the Militia jointly, they were called by the names of the regiments, they were put into gold lace, and everything was done for them, excepting to make them efficient. What I wish to point out is that, if you can get 30,000 men to serve in the reserve from the Militia, and upon whom you can depend, to be called out at a moment's notice, and to be sent to any part of the world, you can, I venture to say, for the same money, £1 extra per man, get the whole of the Militia to undertake the same duty. I believe that you may have the 3rd and 4th battalions not only in name, but in reality, as an absolute reserve to the 1st and 2nd battalions of the Line. That question deserves the serious consideration of my right hon. Friend. The question of the officering of the Militia also deserves serious consideration. We have no right to have a force which is inefficient, and it is because I am anxious that the whole of our forces should be efficient that I rise to speak on occasions of this kind. I should like to ask this question of the my right hon. Friend the Secretary for War, if the Militia are to be sent out on active service with the Line, are they to be armed with the new rifle; and, if not, is the ammunition of the new rifle to be that which is to be used by the Militia? I would here remind the Committee of the great amount of mischief that has been occasioned in many of our small wars of late years by one sort of ammunition being sent out for guns, &c., of different patterns. When a force has to go on active service it is absolutely essential that the same ammunition should be suitable to the whole of the small arms employed. These I think are questions that deserve the serious consideration of the right hon. Gentleman and the Committee. The Militia are a force on which we have always looked with pride and pleasure, and I hope that both now, and in the future, it will receive from the War Office that attention which it has failed to obtain in the past and which the country generally is anxious it should receive.

LORD HENRY BRUCE (Chippenham): The Returns that have been put forward seem to me to give no account

of what is the real state of the Militia at the present moment. Last year we were told that on the 1st January, 1888, the strength of the Militia was 117,000 non-commissioned officers and men; but that was no indication at all of what was the actual state of things. As far as we know there were 20,000 men short, and probably if we were to call out the Militia we should find it at least 10,000 or 20,000 shorter than we expect it to be. It must be remembered that many of the men make a trade of enlisting, first in one Militia regiment and then in another. The Secretary for War now tells us that the reason we are so short of men is that there is an increased competition for recruits, owing to the somewhat different class now admitted into the ranks of the Volunteers; but last year the right hon. Gentleman told us a totally different story, for he then said another cause had been assigned, in the greater facilities for procuring work. Now, I say that one reason for the shortness of numbers in the Militia is that the recruits are enticed into the regular Army, and one of the results of this is that the farmers are strongly opposed to their men going into the Militia, because they fear they will be induced to enlist in the regular service. When a commanding officer comes down to inspect a Militia regiment or battalion he does not speak so much about their duty in that branch of the service as about what a good thing it is to enter the regular Army. In my opinion, you will never make the Militia such a force as it ought to be if you are constantly drafting the men into the Army against the wish of the country generally. You may perhaps succeed in the large towns, but you will not be successful in the counties. I am afraid, however, that at the Horse Guards there has always been a determination to carry out this doubtful policy. There is another point to which I would call attention, and that is that there is not proper barrack accommodation for the Militia during the period of training, and, further, that when you get them on parade there is an evident insufficiency of kits. If they were provided with the requisite kits they would not feel the inconveniences to which they are subjected so much as they do under existing circumstances. As it is, half the bags are empty, and many of the men are without the extra clothing required during periods of bad weather. Moreover, our billeting system is only worthy of a barbarous people, for the men have not sufficient sleeping accommodation. I should like to know how would the right hon. Gentleman the Secretary for War like to be doubled up in the same bed with the right hon. Gentleman the Member for South Edinburgh (Mr. Childers)? In fact, I would put it to hon. Members generally whether it is conducive to decency that these men should be doubled up two and two in the same beds during the 27 nights of the training period? Again, I would point out that the majority of the Militia officers do not belong to the same counties as their regiments, whereas, in my opinion, in order that they may take a sufficient amount of interest in the regiments, they ought to be men holding positions in the counties from which the men are drawn. My hon. Friend near me has pointed out that there are three different kinds of rifles and ammunition served out to the forces, and I agree with him that a more dangerous practice could not be adopted in time of war. But this sort of thing has been pointed out over and over again, and it seems to me that it is mere waste of time on the part of military men having seats in this House to put forward the views they entertain with regard to the means of improving the effective services of the country. As far, however, as I am concerned, I speak what I believe to be the truth in regard to these important matters in connection with the Army.

*Mr. BRADLAUGH: I merely wish while the Committee is considering this Vote to call attention to a question I cannot raise as an independent subject, and I take this course at the request of the right hon. Gentleman the Secretary for War. I allude to the question of the Channel Islands' Militia. The right hon. Gentleman has, I know, had his attention directed to the matter, and what I want now to put to him is this: That the present system operates exceedingly unfairly, because, while it nominally applies as a sort of conscription to the whole of the islands, it, in reality, does nothing of the kind, inasmuch as the sons of all but the poorest inhabitants

leave the islands at the period during which they are liable to service, and an enormous amount of dissatisfaction is occasioned in consequence of the incidental offences that arise and the prosecutions that take place. In fact, the whole system is so bad that even if you had the whole of the Militia serving its full time, so small is the force that it would give no serviceable result, while the sum paid for the permanent staff and all the other expenses is practically wasted. I appeal, therefore, to the right hon. Gentleman the Secretary for War to see whether he cannot take steps to put an end to a state of things whereby great discontent is produced among the people, and a number of petty cases, such as assaults on officers, and so on, are brought before the Magistrates. I hope the right hon. Gentleman will take this matter into consideration.

MR. LLEWELLYN (Somerset, N.): A year or two ago a Return was presented in regard to the efficiency of the Militia and Volunteers at ball practice, and, as far as the Militia are concerned, that Return was a very unsatisfactory one, although to those who know the way in which the Militia are taught and the few opportunities they have of learning the use of their weapon, this can hardly be surprising. It would be much better, it would save a considerable sum of money, and would get rid of a great many worthless lads, if, in addition to the recruit training, there was also musketry training in different parts of the country, not with their own battalions merely, but, say at such places as Dartmoor, in the West of England. There are a great many recruits who never can be made good shots, and the percentage of whom, even in the second class, is ridiculously small. During the training period it is from beginning to end a scramble between the musketry instructor and the adjutant as to what shall be done with the men, and a large number of them are kept in the force who ought to be rejected, and whose cost ought to be saved to the country. With regard to what has been said by an hon. Member behind me, I believe there are a great number of militiamen who regularly do two trainings with different regiments, and I may state that it happened at Aldershot some years ago that my own battalion was in square with another, the next side to our own being a Surrey regiment, one of whose sergeants captured four of their men in my own company. The same thing has undoubtedly been going on for years. It is a difficult matter to deal with, but the authorities ought to be able to ascertain how many of these cases occur, and in what way they affect the strength of the militia generally. With regard to the musketry question, I can bear testimony to the practical way in which the Secretary for War has evidenced his anxiety to improve the musketry training of the Militia, and I have to thank him for providing a range close to the camp, whereby musketry practice will be materially facilitated.

*MR. SEALE HAYNE (Devon, Ashburton): I think there are two causes which militate against the success of the Militia force in regard to recruiting. The first is the bad housing of the men. They come up for their month's training ready for any amount of drill and work, but they naturally expect to be decently housed; as a fact, they are not, and they get very bad experiences of military life. I think it would be a great advantage if huts or barrack accommodation were provided for them, and it would not only be economical, but it would also be good policy for it is one of the main objects to show the Militia recruit during his month's training the best side of military life, so that he may go home and induce his friends to join not only the Militia, but also the regular Army. Again, I think the abolition of "bringing" money has had a bad effect on recruiting. I fully agree with much that has fallen from my hon. Friend opposite in regard to Militia training. As at present carried out it is a complete farce, and it is so because we have not got a sufficient number of duly qualified non-commissioned officers to ensure proper instruction. For instance, the proper number of men to be in a squad undergoing musketry instruction is ten; as a fact the squads frequently contain 20 or 30 men. Again, many of the instructors are inefficient. We have great difficulty in finding capable men willing to act as squad instructors. Non-commissioned officers in the Militia are not paid on the same scale as those in the Line. To be an efficient

instructor in musketry requires considerably more intelligence than is necessary in an ordinary drill instructor, and I therefore trust my right hon. Friend will put the Militia non-commissioned officers on the same footing as their brethren in the line, or hold out some other inducement to tempt men of intelligence to join, with a view of becoming non-commissioned officers. Some economy might be effected by reducing the bounty for joining the Militia Reserve from £1 to 10s., for I do not believe that such a reduction would materially affect the number of men desirous of joining the reserve. I have great pleasure in acknowledging that the right hon. Gentleman has recently taken considerable interest in these questions, and that the other day he had a meeting of commanding officers at Willis's Rooms, at which many of these subjects were threshed out. I trust, however, he will not be content with the recommendations pressed upon him by that meeting. I notice the only outcome of an hour-and-a-half's discussion with some hundred or more commanding officers, brought from all parts of the kingdom was the removal of the brass letter "M" from the shoulder-strap. I hope that the right hon. gentleman will not rest content with this trivial concession, but that the result of the deliberations of the Committee which has been appointed will be to remedy many of the evils which prevent the Militia battalions from being maintained at their proper strength at the present time.

*Mr. E. STANHOPE: I am afraid it is impossible not to agree with my hon. Friend behind me (Sir Walter Barttelot), when he says that the condition of the Militia is not altogether satisfactory, and for that reason I have called together the conference of colonels to which allusion has been made. Every suggestion which has been made to-day was among the suggestions made at that conference, and I believe, as I had written to every commanding officer for information, that at the conference we had, in the form of suggestions, all possible information on the subject. Some of these suggestions require consideration, and I have appointed a Committee for that purpose, and to make recommendations before the next annual training. I hope and believe that we shall gain considerable advantage from the deliberations of the Committee. I think it was rather unworthy of the hon. Member to speak of the removal of the letter from the shoulder-strap as the only outcome of the conference. That was a point on which I could make up my mind at once, but the other points raised were closely connected with one another, and I preferred to await the recommendations of the Committee before arriving at a decision. I sympathize very much with several of the points that have been mentioned in this discussion. As regards the musketry Returns, no doubt the musketry of the Militia requires very considerable improvement. Something has already been done in that direction, and I hope we shall be able to do more. The greatest difficulty is the short time of training. I attach so much importance to the question of good shooting that I hope and believe that among the changes to be made it will be found possible to give more time to musketry training. The housing of the Militia certainly requires attention, and I am considering whether something can be done in that direction without undue expense. I shall be glad if it is found possible to do something to add to the comfort of the Militia. Several hon. Members have referred to the question of "bringing money." Now, as I have already stated, I do not think it would be possible to restore the "bringing money" in its old form, but whether a modified form could be adopted will be considered. We want a form which will secure us the advantages of the old system and avoid the disadvantages. I have especially asked the Committee to consider this matter, and I shall await their Report before coming to a decision. The hon. and gallant Baronet the Member for Sussex has asked if the Militia are to be armed with the new rifle. Sir, we must first supply the weapon to the Army. The work of arming the Army with the new rifle is being proceeded with, and when that is completed the new magazine arm will be supplied to the Militia. My noble Friend the Member for Wiltshire complained that there were now three descriptions of rifle in the hands of our troops, and he mentioned among them the Snider. But, Sir, the Snider rifle is

now practically withdrawn, and when the new weapon is in the hands of the Army there will be only two rifles in the Service. I am afraid that I must agree with the hon. Member for Northampton that the condition of the Channel Islands Militia is not altogether satisfactory. The Channel Islands Militia, as hon. Members are no doubt aware, are under civil not military control. In Guernsey the compulsory law is administered so as to be as little burdensome to the people as possible, the training taking place in the afternoon, when the greater part of the day's work is done. It is a subject which deserves attention, and of the inquiries I am now making I will specially look into this matter. I hope the House will not think that I am trying to unduly limit this discussion, but I hope that, considering a Committee is inquiring into these matters, I may ask hon. Members to wait till that Committee has reported and until I have had time to consider what the next step shall be.

MAJOR RASCH (Essex, S.E.): As the hon. Member said just now, the outcome of the conference of the militia colonels has been the removal of the brass letter "M" from the shoulder-strap. I have not much sympathy with the conference; however it will do no harm if it does no good. Now there are three matters to which I should like to direct the attention of the Secretary of State for War. One is that it is necessary in these days to go back to the old system of training recruits in the mass. Now they come up in twos and threes and forget before the annual training what little instruction they receive. Again, I would suggest that no enlistment should be allowed from the Militia into the Army under one year's service. Of course if the Secretary for War only looks on the Militia as a feeder to the Line and intends to treat it accordingly, I have no more to say, but if it is to be a homogeneous force to be depended upon, then the officers ought to have the men under their command for at least one year. Another point on which I should like some information is, whether the Secretary for War is going to enforce the time limit in reference to officers commanding Militia regiments? At present he allows officers to command Militia regiments for a term of 40 years or more, whereas in the Line the limit is 4 years. These relics of antiquity, these patriarchs—these fossils—do not conduce to the interests of the Militia Service. I know perfectly well the Secretary for War will say that these colonels bring recruits in. But that is not so; nowadays it is the adjutant and not the colonel who brings in the recruits. I think it would be to the interest of the Force if the adjutants were taken from among the Militia officers, instead of officers of the Line being pitch-forked into Militia battalions of which they know and care nothing beyond desiring a comfortable berth. Reference has been made to the strength of the Force. I think if the Secretary for War were to call out 20 or 30 battalions in the same district at the same time he would not find the muster so strong, for it is well known that Militia men are in the habit of serving in half a dozen regiments, and go from one place of training to another. I hope the Secretary for War will give consideration to the suggestions I have made.

MR. HANDEL COSSHAM (Bristol, E.): This is a question which largely affects the trade of the country. I speak as an employer of labour, and I know the disadvantages we suffer from the men being called out. Men who are called out are utterly ruined in character when they come back and are unfit for civil duties. I think the House should be satisfied that it receives value for the money which is expended on the Force, and the calling out of which seriously interferes with the civil duties of the country, which are far more important than all this military nonsense.

*SIR A. CAMPBELL (Renfrew, W.): I must say the hon. Member who last spoke astonished me when he says the men return from their annual training worse than when called away for their civil employment. My experience all tends in the other direction. I have command of a regiment in a large and populous district, and employers of labour often say, "I do not know what you do with the men, but they come back perfectly civilized." Indeed, I have the greatest possible support from large employers of labour. My regiment has always been full, and this I attribute to the fact that the regiment is recruited entirely from our own

county. We are placed in the fortunate position of not having to send our recruits to a depot. I think the great reason which prevents the Force keeping up its numbers is the change which has been made in the matter of drilling the recruits. As to the Reserve, I should be very glad to see that done away with altogether, because the fact of the matter is, that if the regiment is required for service it is found that the best non-commissioned officers and men have already been called upon to join the Reserve. You might use the money now spent on the Reserve in another manner, which would tend to increase the efficiency of the Militia regiments. At the present time it is very difficult to get Volunteer sergeants for the Militia. One of the reasons for this is, that the work is very hard, the sergeant is always under the supervision of the adjutant, and if the man does his duty strictly he loses his popularity with the men, and his position after the training is over is not pleasant. Now, to counteract this, I would suggest that an extra bounty should be given to non-commissioned officers who conduct themselves well, as it is upon them more than any other class of men that the success of a regiment depends. I think, also, that a commanding officer should have power to withhold or reduce this bounty. It was absurd, in the case of the misconduct of a lance-corporal, for instance, to invoke all the power of a Court Martial to reduce the man to the ranks, especially when it is remembered that he gets no extra pay. I think the commanding officer should be able to take away his stripe, while in regard to other non-commissioned officers he should be able to punish dereliction of duty by reducing the amount of bounty at the end of the training.

*Mr. C. W. RADCLIFFE COOKE (Newington, W.): I can quite understand that Militia officers and Military men in the House should desire to take part in this discussion, and, therefore, I was not surprised to find that although I have risen to speak half a dozen times, you, Sir, have missed me almost as easily as a Militiaman would miss a haystack. But, Sir, the Militia is to some extent a civilian force; the men serving in that force are withdrawn only temporarily from civilian occupation, and civilians employ and pay them. I hope, therefore, I may be excused if, although a civilian, I venture to offer some observations to the Committee on the force. I regret that the hon. Member for North-East Sussex (Sir W. Bartellot) should have stopped short in what he intended to say on this subject and not given us, as he implied that he could, the real truth on the question of the efficiency of the Militia. Now, there was one branch of the subject on which he touched on which some information has been furnished to me, and that is the question of the education of Militia officers. In relation to that we have to consider what the nature of the force is, and what it will be called on to do. It was pointed out by my hon. Friend the Member for St. Pancras (Mr. Webster) that the Militia is depleted of its best men at both ends. The Reserve take the cream of the Militia, and the best of the recruits join the Line; so that those who are left are more or less of an inferior character. It seems consequently to be considered by those who are responsible for the administration of the force that as the best of the men pass into the Army, and most of the Subalterns, too, it is hardly necessary to pay so much attention to the education of the officers permanently attached to the Militia as would otherwise be deemed necessary. Speaking at a dinner to the Commanding Officers of Militia regiments who were lately assembled in conference for so good a purpose, the right hon. Gentleman (the Secretary of State for War) said there were two functions for which the Militia were to be depended on—first, to defend the country; and secondly, to supply the needs of the Army in times of emergency; and the right hon. Gentleman went on to add that the Military Authorities at the War Office were anxious to promote the development of the Militia, and to make them available in every respect for the performance of the duties for which they were intended. His Royal Highness the Commander in Chief on the same occasion said—

> "The spirit in which the Militia should act was to help the Army, and by that means to really perform the functions for which it was intended."

In a previous debate in this House the right hon. Gentleman the Secretary for

War declared that after providing the 80,000 regulars, who formed the first field Army, there would remain a small force of regulars of all arms and a good many regiments of Militia available for the defence of the country, and for the mobilization of these the preparations were not yet completed. Now even to my civilian understanding it is clear that the instruction given to Militia officers is not such as will fit them to command troops in the field. It is very difficult to get information at first hand from experienced persons, not merely because officers dislike to make observations which may be detrimental to themselves or their comrades, socially or otherwise, but also because, I suppose, it is considered to be a breach of etiquette or discipline to communicate facts they know. For example, the noble Lord the Member for East Hampshire (Viscount Wolmer) drew attention earlier in the Session to the loss of time that often took place in the short 27 days' training, when it is obvious all the advantages of that limited period ought to be made the most of. Subsequently to that, information was furnished to me of the fact that a certain junior captain in the Militia had kept a dairy of his proceedings during training for some years past and had therein recorded the waste of time that often took place. The inferences to be drawn from the diary were published in a military newspaper, and upon that I founded a question which I addressed to the right hon. Gentleman below me. Greatly to my surprise the right hon. Gentleman expressed the opinion that strong measures would be taken against the junior captain if he were only known. Now, if he were known why should strong measures be taken against him? What evil has he done? If the author of the diary be the man I suppose there could not be a more loyal subject of the Crown, a greater disciplinarian, nor one more desirous to promote the efficiency of the Force. His only object in publishing the diary could be to give information at first hand with regard to a matter most material to the efficiency of the Force and on which he could speak from actual experience. I therefore dissent from my right hon. Friend and think that this gentleman has done a service to the country and to the force whose interest he has so much at heart. The education of Militia officers may be shortly summarised and shown to be deficient in subjects most essential, if the Militia is ever expected to act as a field force in defence of the country. Analyzing the subjects in which Militia officers have to pass, it will be found that omitting matters not relating to the Force as a fighting body in the field — such as interior economy, Military Law, Militia regulations, office work and so on, the following is the knowledge of their art required of Militia:—Decent drill, but of the barrack square order alone; nothing relating to work in the field; a little musketry—sufficient to teach men how to take care of arms and ammunition, go through firing exercises and instruction in the extremely limited practices Militia go through in shooting 40 rounds up to 300 yards; tactics—eight pages of advanced guards from new Infantry Drill Book, pages 251 to 260, although pages 227 to 260 containing valuable information admirably put together, are nominally supposed to be read by Militia officers. Having described the amount and quality of the instruction in the art of war, let me say a word as to the way in which the knowledge of an officer is tested. The examinations take place before a Board of Examiners (a field officer and two captains of a Line regiment), at the depôt of the territorial regiment, and often local and social causes may incline the Board to let off the candidates easily. But even if unknown to the Examiners, they are by no means hard on the candidate. I have the experience of an officer who passed before a Board as an entire stranger to them, and I give it in his own words—

"After an hour's drill, I had a *vivâ voce*, where, after prompting me (frequently wrong), the good-natured captain who had me in hand gravely reported to the Board that I had answered very well. Then a couple of hours' paper work. Before I tackled each question, the President inquired whether I knew the answer, and if I did not, gave me a friendly hint, 'in order' he said, 'That the Boss who has finally to check your papers shall not be able to say we passed you too easily.'"

My informant adds as to the questions on the Militia regulations that the Examining Board, being Linesmen, knew nothing of the subject, and, therefore, put questions out of a well-known question and answer book, or crib, which the candidate

naturally coaches up beforehand. The subjects, too, are extremely limited. Let us contrast their paucity with what is required of Linesmen. The Linesman has a thorough knowledge of drill and musketry, a good knowledge of tactics, of topography (which means the art of reconnoitering an enemy's position, roughly sketching a piece of country, reading a map, &c.), and of field fortifications, or, in unprofessional language, he is taught to bring his men against an enemy in the best formation, to employ against the enemy the most effective form of fire, to select the ground for his attack or defence, to make a rough plan of it for his superior officer, to fortify it by the proper use of hasty shelter trenches and improvised defences of all kinds,—in a word, to turn everything to account. In not one of these things are Militia officers trained. At the present moment no Militiaman is obliged to read a line of the articles in the Military Drill Book on the defence of position, fire tactics, outpost duty, operations by night, yet the Drill Book is so impressed with the importance of outposts that no less than 37 admirably written pages are devoted to the subject, "the most momentous duty (as the book says at page 295) on which troops can be employed." Yet, although denied to Militiamen, the War Office sees their importance to Auxiliary troops, for they urge Volunteer battalions to practise night operations (pages 415-434 Infantry Drill Book). Moreover, in the regular Army so much stress is laid on field fortification, that even sergeants are being sent to Chatham to learn it there. They are also invited to pass in tactics the same examinations as subalterns for captains. If necessary for them, how much more necessary is it for Militia officers, who may on service have to command these very men? It is true that the examinations in these subjects—tactics, law, field fortifications, and topography—are now open to Militia officers and Volunteers who choose to pass in them at the same time and under the same conditions as officers of the regular forces, but difficulties are placed in the way of Auxiliary officers that are not met with by Linesmen, though I will not enter into these now. The passing of these voluntary examinations, it is important to note, confers no claim to promotion in the Militia as it does in the Army. A Militia officer may go to Hythe for two months, to Wellington Barracks for six weeks, may pass, in addition, in signalling, tactics, law, fortification, and topography, yet a man senior to him, who may have merely passed an examination of the perfunctory character I have described, because he is senior, will get his promotion over the officer so much better qualified for it. I will not sit down without suggesting a remedy. If examinations in these subjects are desirable for any officers, they are desirable for all, and should be made compulsory. It is possible that one result would be that you would lose a proportion of your officers, but better so if you made soldiers of the rest. Ultimately, the improvement in the character and efficiency of the force would attract good men into it. I will not further pursue the subject at this hour of the evening (8.40). Indeed I, although a civilian, have dealt with it at this length because I consider the question of the military education of our Militia officers one of the utmost importance.

SIR GEORGE CAMPBELL (Kirkcaldy): I do not propose to go into details regarding the Militia, and indeed, knowledge does not qualify me to do so, but I take the opportunity of repeating the opinion I have expressed on former occasions, that justice is not done to our auxiliary forces—their interests are sacrificed to the interest of the regular Army. We are always increasing Army expenditure, and very lately we sanctioned an enormous increase of the Navy, but we do not do justice to the Auxiliary forces. I regard as our true defensive forces the Militia and Volunteers as distinguished from the regular forces, which are aggressive as well as defensive in character. Unlike other European countries we pay little regard to our auxiliary or defensive forces. I have heard much to-night that confirms my view, and I was glad to hear the hon. Member for Newington (Mr. Cooke) speak out on this subject, though I am not able to say whether all his conclusions were justified, but I think he is right in the main. Our Militia are not regarded as the true defensive force of the country, and treated as, in Switzerland and other countries, such forces are treated. My views find confirmation, too, in official documents.

I find them confirmed by the remarks of the Secretary for War in his memorandum of the Army Estimates of the year, showing that while the efficiency of the Army is increasing the Militia is decreasing, and that force is now much below its strength. The right hon. Gentleman acknowledges the evils of the billet system, and I cannot see why we should not provide barracks and parade ground at Militia headquarters. We find that in Switzerland where a country holds its own by means of a Militia, handsome barracks are provided and every means for making the service popular, and no doubt it is popular, though compulsory service may occasion a little grumbling, and there is no difficulty in obtaining citizens to serve. But all inducements of the kind in this country are wanting; the Militia are a scratch kind of force collected and billeted anyhow, and trained as they best may be in the nearest available field. There is a difficulty in obtaining efficient officers, and the examinations are used as a ready means—a sort of back-door into the Army when officers find themselves unable to enter the Army by the regular way—and so both the Militia and the Army suffer. After short service in the Army these officers retire on handsome pensions, and the utmost inducements are held out to men to leave the Militia for the regular Army, whereas encouragement should be given to induce men, after Army service, to join the Militia. At the annual drill the men are collected, and are not sufficiently under discipline to prevent them breaking out into mischievous pranks. I have suffered myself from their depredations in my garden, and though I am not disposed to be too hard upon the men for "sprees" of this kind, I think it is most desirable that by the introduction of men retired from the Army, by means of a permanent staff, a more consistent system of training, and an alteration of the billet system, better discipline should be maintained. I will not detain the Committee with details. I only wish to express my opinion, formed long ago, and confirmed this evening, that this auxiliary force is left in a most inefficient state.

COLONEL NOLAN: Although I have not served in the Militia I have had opportunities of seeing their annual drill, and I paid special attention to this portion of the inquiry before the Committee. One thing that strikes me is the excessive cost in connection with the force, for be it remembered that this £530,000 is not the total, because from the footnote it will be observed that a further sum of £82,000 must be included. The officers do their best under the conditions to drill the men, but the shooting of the Militia is allowed by everybody to be very bad. When the Inspector General of Musketry was before the Committee, I tried for a quarter of an hour, but could not get him to express an opinion—good, bad, or indifferent on this point. He always put me off with the reply that it was as good as could be expected. I do not think the officers are to blame; it is due to the want of ranges near the barracks. If you can give men practice at 300 yards only, that is sufficient to gain the manual skill by which a fair proportion of the men may become good shots at longer distances. By means of intercepting screens, there ought to be little difficulty in obtaining such short ranges near at hand. To give a civilian force a good military training, you should have good central barracks and parade grounds with ranges close at hand, and you should have drill sheds for bad weather, and I think in the end, this would be found more economical than our present system, and certainly it would be more efficient. The system of calling the men out in this country differs materially from that of other countries. We call them out once a year, but I do not think it is necessary to do so more than once in two or three years, as is done in Switzerland. With regard to the policy of regarding the Militia as a feeder for the Army, some say it is desirable to reduce the bounty, and some say it is desirable to abolish it altogether. The question is a difficult one for the Secretary for War to deal with, as it is, no doubt, a very convenient thing for him to know that he has 30,000 men to call upon on an emergency. I am, therefore, not sure that the bounty money is altogether wasted; but the policy of trying to recruit from the Militia is a mistaken one, and I think the men ought to be left to join the Line or not as they choose, without having a special inducement held out to them to do so.

With regard to the £287,000 paid for the Militia Staff, I think the charge an extravagant one, and it shows some of the worst military administration it is possible to conceive. The Secretary for War is not responsible for the system; no one has made it, but it has grown up in time. Why do we pay this enormous sum? The Militia are only called up, for one month in a year, and yet you pay the staff for 12 months. To be sure, you have your recruits coming up, and it is true that the Inspector General stated that you could use the Militia Staff for other purposes, but I have always been unable to discover those other purposes. You could drill your recruits with a much smaller staff than that you at present employ. And as to the clothing Vote, though £2 per man is not a large amount, you must remember that it is only paid for one month in the year and that at that rate each man might be said to cost £24 a year. I think it would be much better to give the men the money and adopt some other clothing system. The evil in this respect is all due to the system of short training, which I believe to be a great mistake. The whole question of the principle upon which the Militia is established should be gone into. It is very seldom that anyone attempts to go into it, but I believe it to be altogether wrong. You have only 100,000 men, whereas you ought to have 200,000, even if it were found necessary to establish the conscription.

THE FINANCIAL SECRETARY TO THE WAR OFFICE (Mr. BRODRICK, Surrey, Guildford): The observations of the hon. and gallant Member are very interesting, and his views, which are much valued by the authorities at the War Office, will receive due attention. The difficulty suggested as to the size of the staff is a serious one which has not been lost sight of, and my right hon. Friend the Secretary of State has undertaken certain reforms which will tend to a reduction. We hope that by next year we may be able to report a larger number of men on the strength of the Militia. The whole subject of the Militia is being considered in a practical spirit by a Committee upon which there are several distinguished Militia officers as well as other officials, and I can assure hon. Members that it will not be relegated to obscurity in any way. The Committee will thoroughly thrash the matter out, and by next year the House will have before it the Report of that Committee, and can then more advantageously discuss the subject. Under these circumstances, I hope that I shall be excused from replying in detail to the points that have been raised, and that the Vote may now be allowed to be taken.

SIR G. CAMPBELL: What will be the constitution of the Committee? Will it be a purely Military Committee?

*MR. STANHOPE: It is not a purely Military Committee. There are four Militia officers on it. Lord Harris is the Chairman, and there are two other Members who do not belong to the Militia force.

Vote agreed to.

(5.) Motion made, and Question proposed,

"That a sum, not exceeding £76,000, be granted to Her Majesty, to defray the Charge for the Pay, Allowances, and Miscellaneous Expenses of the Yeomanry Cavalry, which will come in course of payment during the year ending on the 31st day of March 1890."

MR. LABOUCHERE: The observations we have heard from hon. Gentlemen in the course of this evening have mainly tended in the direction of increased expenditure. I, however, do not take that line. I think we spend too much on the armed force which is to defend the country. We have been called on to increase the number of our soldiers; we are perpetually being called upon to increase the capitation grant of the volunteers, and we should look around to find a means of economising a little in order to be able to meet these increased calls. I think we find the means on this particular Vote, and I, therefore, propose to ask the Committee to disallow the item. I regard the Yeomanry as a relic of past ages. We might as well have so many knights in armour, having regard to the service they render the country. The primary idea of a Yeomanry is that the country gentlemen should enrol their tenants, who should come with their horses and form a force perhaps rather ornamental than useful. A regiment of Yeomanry consists of about 200 men, who meet once a year for six days. The

whole thing is the merest humbug. They do not have horses of their own. Generally they hire old cab horses. It frequently happens that the men cannot retain their horses for the whole six days and that the animals are required for their other businesses—that they have to go back to their cabs or omnibuses—or that the warriors cannot pay for their hire more than two or three days. There is recruiting in the villages, and same sort of military drill is gone through, for which purposes the men get other horses, but the whole thing is nonsense. And what does it cost? Why £76,000 per annum. For this sum of £76,000 per annum we get 743 officers nominally and 13,117 non-commissioned officers and men; but it appears that out of the 743 officers only 566 attend drill, and out of the 13,117 men only 8,433 attend it. I challenge any military Member in the House to get up and say that this money could not be more usefully spent to guard against invasion of the country. But what we have to consider is, whether the Yeomanry is worth this £76,000 a year. I for one very much doubt it. So far as I can make out the Yeomanry is maintained in order that some gentlemen may wear the uniform, and have some sort of military rank, and may attend at some county town and have a Yeomanry drill. Occasionally when the force is called out there is a great deal of rowdyism, and as a matter of fact this £76,000 is not all the force costs, because a good deal of the money that goes to the police is employed in looking after these men. The Yeomanry are more dangerous to the town in which they meet to drill than they would probably be to an enemy. I used to go and look at a similar force during the siege of Paris, and I believe a strong wind would have blown them out of their saddles. Whenever there was to be a sortie, officers were sent to keep them out of the way. As a better use might be made of the money than by maintaining this mediæval humbug, I oppose the Vote altogether.

MR. LEES (Oldham): The hon. Gentleman who has just sat down has gone to Paris to see what the Yeomanry look like and to the middle ages to see what the force really is. He says that the idea is that the country gentlemen should enrol their tenants, and no doubt country gentlemen do enrol their tenants to some extent, but that is by no means the universal rule. I myself am an officer in a Yeomanry regiment, and am in command of a troop of 30 men, not one of whom is a tenant of my own. Instead of six days, they meet for ten days a year, during which they work very hard. They are drawn from a very intelligent class of men, and they know how to ride before they join the force. Six months or a year has not to be spent in teaching them how to ride, and they ride their own horses. In my troop there are only two who do not, and one of these is an old soldier. Nothing can be further from the fact than that the Yeomany give trouble to the police. During the five years I have served not one in my regiment has ever been brought before the Police Authorities, and the Mayor of the town in which they are called up every year makes it his business to compliment us on the good order we have kept. The hon. Gentleman has spoken rather contemptuously of the class to which I belong, namely, the Yeomanry officers. Well, we certainly do have to wear an elaborate uniform—a more elaborate one than is desirable, but we have to pass a rather strict examination at Aldershot, and are brigaded there with ordinary cavalry regiments. We have to learn cavalry drill and to go through a good deal of training. The hon. Gentleman judges of the English Yeomanry from a regiment he saw at Paris. For my own part, I should be sorry to judge of English horsemen or horsemanship from French horsemen or horsemanship. I can assure the hon. Gentleman that it would take a very strong gust of wind to blow English yeomen out of their saddles. They are in the habit of riding across country, and ride better than the cavalry, who only learn the art in a mechanical way. The Reports of the inspecting officers show that for years the Yeomanry have been doing their best to improve themselves; and instead of disallowing or diminishing the grant, I would ask the right hon. Gentleman to give us a little more money, because then we can make ourselves a very efficient force. The hon. Member for Northampton approves of a Volunteer army instead of a Conscription army. Very well, we are the only Volunteer

cavalry in the country, and I believe that if we had a little more encouragement, a great deal might be done. By the superannuation system you get rid of the older men, who can devote most time to the service. It is not so easy to get younger men to spend their time and money in the Force, and if any money has been saved in the matter of capitation grant by this superannuation system I would ask the right hon. Gentleman the Secretary of State to give us a little more.

*Sir F. FITZWYGRAM: I admit that some years ago there were some abuses in connection with the Yeomanry, but I think it was owing more to a defective system of inspection than to any want of zeal on the part of the yeomanry. The War Office sent down some officer on the morning of the inspection to see what is called the field-day; he made a complimentary speech and then went away. Under such a lax system of inspection you could expect abuses to occur. I admit that some years ago there were abuses in the Yeomanry. The chief of them was that the commanding officers were allowed to remain as long as they liked, and many of them became old and inefficient. Men do not very readily recognise that they are becoming old and inefficient. I was sent down in the year 1869 to inspect a regiment in one of our northern counties, where the colonel had just resigned at the age of 81. I need scarcely say that the regiment was in a state of chaos and not at all worth the money it cost the National Exchequer. The commander of a Yeomanry regiment should be a man in the prime of life, strong and vigorous. I believe the age has been fixed at 55 years, but I should have preferred it reduced to 50 years. A similar abuse existed in regard to adjutants. The system was to make life appointments. Many of the adjutants were old and inefficient, and most of them had for many years left active service, and were completely ignorant of the great changes which had taken place in our ideas as to the utilization and employment of cavalry. But those days have gone by, and the Yeomanry of to-day should not be spoken of as they were formerly, but as they are. The great improvement in the Yeomanry dates from the appointment of Inspectors General. Colonel Oakes, of the 12th Lancers, was the first Inspector General, a man of remarkable ability, and who, though rough in language sometimes, nevertheless by his tact and geniality, conciliated the men. Colonel Oakes threw his whole soul and heart into his work, and infused a vitality into the Yeomanry which it has never since lost, and which, I believe, it will never lose. Shortly after, a complete change was made in regard to the appointment of adjutants, who are selected from captains on full pay by H.R.H. the Commander in Chief for zeal and ability. They hold the position for five years, and they are liable to be withdrawn if they show any want of zeal or tact. When it was first introduced, I thought the new system would be a failure, but I am glad to say that I find it has answered well in every respect. The Commanding Officers of the Yeomanry as well as the two Inspectors report the very great improvements which have taken place in the Yeomanry since the new system of adjutants. A similar change has been made in regard to the drill sergeants, who are now appointed from cavalry sergeants of 16 years' service, and who are entitled to a pension after 21 years' service, are appointed for five years, and they are only allowed to remain in their positions so long as the Inspector General is satisfied that they show zeal and tact. These are very comfortable berths, and the Yeomanry have now the very pick and flower of our cavalry regiments. As regards the officers, in most of our auxiliary forces the breakdown has usually been in the inefficiency of the officers. I think in this respect the Yeomanry suffer less than any other branch of our auxiliary forces. The auxiliary school for Cavalry Officers has been a great success. It was started 25 years ago, and it has done good work, and never better than it is now doing under Major Morrison. No officer can be promoted to command of a troop of Yeomanry unless he holds a certificate of qualification from the Yeomanry School at Aldershot. That certificate is not lightly given, and when I was Inspector General of Cavalry I saw officers come up one, two, and three years before they obtained it. As the Yeomanry school has now been started 20 years, I think that there are very

few captains of Yeomanry who do not hold the necessary certificates of qualifications. Sir, I claim for the Yeomanry in the present day that as far as time and opportunity go, they are thoroughly well instructed both as regards officers and non-commissioned officers and men. It is said that seven or eight days' drill is not sufficient to make them efficient. That is true. But of late years the War Office has supplemented that period by a certain number of half day's troop drills, for which a payment is made. And since the introduction of the new system of adjutants, the adjutants are required and expected to hold two troop drills per week throughout the summer. There are 25 weeks for drill in the summer, therefore the adjutant can hold 50 troop drills in the course of the summer—that is, 8 per troop. The Yeomanry regiment of the county which I have the honour to represent has exceeded that number. There is more to be learnt in many respects by a troop-drill than when the regiment is brought together in line. The principal points to be learnt are outpost and detached duty, and it has been asked how these can be taught in eight drills per year. In the Line I admit it could not be done with idle and inattentive recruits. In the Yeomanry, however, you are teaching an intelligent class of men, anxious and willing to learn, and who listen to every word that is said, anxious to profit by it. I claim for the Yeomanry that they have not only progressed, but that they have made great and rapid improvement. The question is not whether they are equal to the regular cavalry, it would be absurd to argue that they are. The real question is whether they are efficient for the duties they would be called upon to perform in the event of an invasion. Before we can properly consider this question, we must consider the probably occurring circumstances. Before an invasion is possible, we must presuppose a continental war in which our troops have got the worst of it. You must presuppose that our cavalry at home has been thoroughly depleted to make up the casualties in the regiments abroad; and probably not more than 2,000 cavalry would be available at home. Now London and the South Coast can only be defended by an army in the field—in the absence of a chain of forts such as are around some continental capitals. The Secretary of State in his speech said he would be able to collect 80,000 regulars and back them up by 200,000 Volunteers. For the service of that Army a large cavalry force, which is the eyes and ears of an army, would be absolutely necessary for obtaining and transmitting intelligence as to the force and movements of the enemy to our generals, whose movements would depend upon that information, and on his movements again would depend the success or failure of the campaign. For the army of 280,000, there would be required 10,000 cavalry. For reasons given above you cannot have that number in your cavalry. But in your Yeomanry you have 10,000 men and horses ready to be placed in the field at a moment's notice, and to be carried to the south as quickly as the trains could take them there. Now comes the crucial question. Would the Yeomanry be fit for the service of the Army in the field? I think they would. In the present day the principal duties of the cavalry are to scout, patrol, and reconnaissances, outpost and detached duties, gathering and transmitting intelligence. All these duties I think the Yeomanry would be well fitted to discharge. Bodies of five and six men under a non-commissioned officer are employed for outpost and detached duties, and the Yeomanry, consisting of men of intelligence, accustomed to observe and look about them, would be well fitted for their efficient discharge. If you ask me, whether the Yeomanry are well fitted for the attack in line or to manœuvre, I hesitate to answer that question in the affirmative. I do not think they would, certainly not at the outset of the campaign. But that question does not arise in connection with an invasion of our southern coast, the land between which and London is enclosed by hedges and ditches, and contains no large plains on which cavalry could be manœuvred. The only possible and the most valuable use which could be made of our cavalry and the Yeomanry in England would be that which is comprised in the phrase "outpost and detached duty," and for these duties,

which are of primary importance, Yeomanry, as now trained, are I think well fitted. I should like now to make a few suggestions with regard to the improvement of the Yeomanry force. I should like to see every Yeomanry regiment brought to one of our great camps of instruction either at Aldershot, York, or some part of Scotland, at least once in every seven years for 14 days' training, and placed under canvas. I ask for 14 days because the expense would be considerable, and it would be provoking if the weather were so wet that, if they had only seven days, the whole of that period might be wasted. I also ask that they should be under canvas because they would thus learn more in the way of picqueting horses, erecting tents, and other field duties than they could go through if they spent their time in barracks. In the next place, I think it absolutely necessary that the age of the commanding officers should be limited to what, in my opinion, is the prime of life, and I cannot put that age above 50. Moreover, I think it still more essential to limit the period allowed for the command of a regiment, which I would fix at eight years. In the Line it is four years only; but I do not suppose you could get in the Yeomanry so frequent a renewal as one in four years. My reason for suggesting an eight years' limit is that nothing is so discouraging to a young man as to find when he joins his regiment a young commissioned officer, say 30 years of age, who might retain the command for the next quarter of a century. The period ought to be so limited as to afford a fair chance of command to every officer. The command of the regiment is the object of honourable ambition. My next suggestion is that more attention should be paid to musketry instruction than hitherto. The rifle carbine of the Yeomanry regiments is a very beautiful weapon, and very little inferior to the Henri-Martini of the infantry—it is perfectly true at 600 yards, and deviates only one foot at 800 yards. I would impress on the Secretary of State that accuracy of aim and a good weapon are of far more importance in the case of Yeomanry and other mounted troops liable to be detached on out-duties than they are in the case of the Line. The men who are employed on these duties carry their lives in their hands, whereas in the infantry regiments, where thousands are massed together and all are well armed, it does not matter so much whether some shoot straight or not; but where men are sent out in small bodies, exposed to all kinds of perils, it is absolutely necessary that they should be good marksmen. I would also ask the Secretary at War to give them, in proportion to their strength, the same capitation grant as is given to the Line cavalry regiments for musketry. Now as regards the expense of these proposals. The cost of the railway fare per man and horse, to the camp of exercise, I reckon at £4 which, for 1,200, amounts to £4,800. Pay for 1,200 men for seven days would be about £300; then there would be the capitation grant. There are 39 Yeomanry regiments, and I would reduce the number to 31; and taking the capitation grant at £100 per regiment, that would make something over £3,000, which, added to £4,800, would make the total something over £8,000, which is the increase I desire the Secretary for War should give to the Yeomanry. But I always feel it my duty, whenever I ask for increased expenditure, to show some method by which the money may be saved. For my part, I attach more value the efficiency than to numbers. I know that the Horse Guards worship numbers, but I dissent from that *in toto*, and would sooner have 100 men well trained than 110 men trained insufficiently. I propose to reduce all regiments of a strength less than 250. They are too expensive in proportion to strength. The normal strength of each Yeomanry regiment should be six troops of 60 men, making a total of 360, the limitation being 250. The present strength of the Yeomanry is nominally 13,000, and the real strength 10,000. I propose to reduce that strength by 1,000, and the average cost being £8 15s. per man, that multiplied by 1,000 would give £8,600. In this way I am prepared to say that the Yeomanry may be materially increased in efficiency without any increase of expenditure. I now come to the point with which I started. London can only be defended by an army in the

Sir F. Fitzwygram

field, and 10,000 cavalry are absolutely necessary for the service of that army. You cannot have that number of regular cavalry under the conditions I have named; but you have them in the Yeomanry, whose number, however, I propose to reduce from 10,000 to 9,000. From that number we must knock off 10 per cent for those who from various causes would not turn up if called on for active service in case of invasion. I take the average from the Line regiments — namely 10 per cent of sick and so forth. Thus, the Yeomanry would be reduced to 8,000, and as you would have 2,000 regular cavalry left in the United Kingdom, you would thus get your 10,000 men, who are absolutely necessary for service of the Army of 280,000 men in the field. In my opinion, which I express as the result of considerable experience, you would, under these circumstances, have a thoroughly efficient and trustworthy force of cavalry on whose service the nation might safely rely.

MR. BRODRICK: I am sure that no Member of the Committee who has listened to the speech of the hon. and gallant General who has just sat down, and who speaks with so much knowledge and experience in regard to our cavalry forces, can have regarded this question in the light in which it has been treated by the senior Member for Northampton (Mr. Labouchere). I may say that the view entertained by the Military Authorities fully bears out the statement made from the independent position of my hon. and gallant Friend. The question is a very simple one—namely, are you prepared to pay £76,000 in order to drill and organize 13,000 men for the defence of this country? As the hon. and gallant General has pointed out, nothing could be more absurd than to devote large sums of money to the maintenance of a great mass of infantry without at the same time providing that initial organization of cavalry, which is absolutely necessary to complete our Army service. I cannot suppose that the hon. Member for Northampton has proposed the omission of this Vote in a serious spirit. Indeed, his observations make it almost clear that he can never have seen a Yeomanry regiment in his life. He has compared them to knights in armour, he has attacked their drill and derided their horsemanship; but I think that, reading between the lines of his speech, there is a great deal more sympathy with the object of this force than he has openly expressed. Although the Yeomanry regiments may not be comparable to the cavalry of the Line, we have, nevertheless, in that force a total of 13,000 men at a cost for which we could not produce and maintain half a regiment of regular cavalry; and it is obvious that we should be cutting off a considerable source of national security, were we to throw over the services of this body. I do not wish to detain the Committee by going into evidence as to the value and importance of this arm of the service. That point, I think, has been fully dealt with by my hon. and gallant Friend. I may say, however, that the Reports of the Inspectors abundantly show that a great attempt is being made, on the part of the Force, to render itself efficient. It is evident to everyone that an immense improvement has taken place in this branch of the service within the last few years. Their permanent staff is good, their organization excellent, and their *morale* has greatly improved. I hope, therefore, that the hon. Member for Northampton, having delivered his annual speech on this subject, will be satisfied with the protest he has made, and allow the Committee to pass this Vote.

SIR G. CAMPBELL: I do not know whether the hon. Member for Northampton is convinced by the statements of the hon. and gallant General, who has laid before us the result of his experience; but I may say that I am partial to a Volunteer organization of this kind, and if convinced of its efficiency, should be inclined to support it. In my part of the world the Yeomanry have abolished themselves, and from their ashes has arisen a Volunteer force, no doubt a fine body of men, and they think so themselves. I think the hon. Gentleman (Mr. Brodrick) was outside the mark when he spoke of a force of 13,000 men, because the official statement shows that only 8,000 put in an appearance at drill, so it would seem that in some parts of the country the Yeomanry are dissolving themselves. The hon. Gentleman shakes his head, but we have the official figures given as 8,433.

MR. BRODRICK: That does not imply that there are not more men under the colours. The men have to attend a certain number of drills, and the present depression of agriculture accounts for the absence of many.

SIR G. CAMPBELL: It seems to indicate there is great difficulty in maintaining the Yeomanry in a state of efficiency. I should have been glad if the hon. Gentleman could have told us something about the horses, whether they are the superannuated animals hired for a day or two, as the hon. Member for Northampton says. As a cavalry regiment of the Line the force is worth nothing at all; but as there is reason to suppose the Yeomanry can be made an efficient force of light horse, I am not inclined to support my hon. Friend the Member for Northampton. I understand the Committee to which allusion has been made will have this subject under consideration as well as that of the Militia, and I hope that Committee will not be entirely professional, but constituted on the broadest general grounds.

MAJOR RASCH (Essex, S.E.): As a cavalry officer, I support the contention of the hon. Member for Northampton, for I could never see the slightest use in the Yeomanry force. I do not believe that more than one out of every ten regiments are efficient, the regiment referred to by the hon. Member for Oldham being, no doubt, one of the exceptions. I do not think the Yeomanry justifies its existence by providing a berth for a cavalry officer, giving him a few days' work in the year. As the hon. Member for Northampton says, the Yeomanry force is an anachronism, a survival from the days when tenants followed their landlords to the field. I once belonged to a regiment of Essex Yeomanry before it was disbanded by the late colonel, and there were 15 officers to 25 men. If the Secretary for War has £70,000 to dispose of, I think the money would be better spent in providing reserves for the cavalry regiments. During the Egyptian War it took two cavalry regiments to mount a couple of squadrons.

MR. LABOUCHERE: I need hardly say that I think the hon. and gallant Gentleman who has just spoken has displayed more intelligence than any other hon. and gallant Gentleman who has taken part in the discussion. We have had the other side taken by two other hon. and gallant Gentlemen, one an able and distinguished cavalry officer (Sir F. FitzWygram), who has thrown his ægis over the Yeomanry, and has defended them in a kindly spirit, but he has practically admitted the Force is of very little use. He says my criticisms would have justly applied to the Yeomanry of some years ago; but he says the Force has made such advances of late years that my remarks do not apply now. Well, I remember the same thing being said ten or more years ago, and I have no doubt that if the Force is maintained the same defence will be made by some hon. and gallant Member ten years hence. But when the hon. and gallant Gentleman proceeded to go into details he showed us that the Yeomanry could only be made worth anything by reducing them in numbers and spending £8,100 a year more upon them; and as I gather from the hon. Gentleman on the Treasury Bench that the Government have not the slightest intention of spending this additional £8,100, I think the Committee should adopt my suggestion and abolish the Force altogether. I may point out that this £76,000 is not the entire cost, but as a matter of fact, according to the information lately put before us, the entire amount is £105,700. The hon. and gallant Gentleman the Member for Oldham (Mr. Elliott Lees) also made a defence of the Yeomanry, but he did not quite agree with the hon. and gallant Gentleman who followed him as to what the Yeomanry ought to do; he would have the Yeomanry charge in line and carry defeat into the ranks of the enemy.

MR. ELLIOTT LEES: Indeed, I never said anything approaching such a suggestion.

MR. LABOUCHERE: I beg the hon. Gentleman's pardon. I understood him to be ready at the head of 25 men to charge and carry desolation into the ranks of an invading army. The hon. Gentleman said of this Force that it was specially intelligent, and it was taken chiefly from the agricultural classes. Now, I have very great respect for the agricultural classes, but I should not go there particularly to

find intelligence. The hon. Member explains why he considers them intelligent, because they can ride a horse, and he accepts this as absolute proof that they are more intelligent than others.

MR. ELLIOTT LEES: I said they were intelligent, and I said they could ride, not that they were intelligent because they could ride.

MR. LABOUCHERE: They are intelligent and they can ride, and I suppose they are intelligent because they belong to the agricultural classes, for the hon. Gentleman gave us no other reason. Certainly the hon. and gallant Gentleman the Member for Hampshire gave an instance of their intelligence, for he said that in case of an invasion a considerable number of them would probably disappear. It appears to me that if this force is so intelligent as the hon. Member for Oldham represents we might well do away with 13,000 of the regular cavalry and substitute for them this cheaper Yeomanry force of phenomenal intelligence. It seemed to me the hon. Gentleman on the Front Bench defended the Vote in but a half-hearted way. He said he knew nothing about the force himself, but he had been assured by a friend of his, a cavalry officer, that he had never seen such excellent troops.

MR. BRODRICK: I never said I did not know; but I said that, as a layman, I would not attempt to give an opinion on the subject. I left that to Military Members of the House.

MR. LABOUCHERE: If we left these matters to Military Members Heaven knows how much we should spend. The hon. Member for Oldham expressed a strong opinion as to the superiority of the Yeomanry Cavalry and of English Cavalry over the French, but there are eminent military authorities who do not agree with him. The Duke of Wellington expressed an opinion that French cavalry were infinitely superior to English cavalry; and, if I remember rightly, it was to the father of the present Secretary for War that the Duke of Wellington expressed that opinion. I hope the Committee will take a practical and reasonable view of the matter. The Yeomanry may be of some use, I have no doubt, in case of invasion, but not, I maintain, in proportion to their expense. It is a force that is entirely behind the requirements of these days. To say that they are capable of acting as vedettes after their six days annual training is a rather surprising statement to hear from an experienced officer. Of the horses he said nothing. The whole thing is a piece of nonsense; a wasteful, expensive farce, and I shall certainly ask the Committee to divide against the Vote.

*MR. STANHOPE: I think the most practical and sensible course will be for the Committee to proceed to a division. It is an old subject brought out every year. It has afforded some amusement, and the Committee is now, I think, in possession of the arguments on either side.

The Committee divided:—Ayes, 132; Noes, 50.—(Div. List, No. 141.)

(6.) £742,700, Volunteer Corps.

*MR. STANHOPE: I think it will be right for me to mention in relation to this Vote what has arisen since the preparation of the Estimate. The Committee are well aware that the question of Volunteer Camps has excited keen interest among all who have the welfare of the Volunteer force at heart. Accordingly, we in the Estimate propose an increase in the amount for this purpose from £50,000 to £56,500. Such a general desire was evinced for increased camping accommodation, and applications from all parts of the country became so frequent, and I was so convinced of the advantages to the corps in these camps, that I felt justified in making application to the Treasury for an increased Vote. The Estimate I find may be exceeded. I hope it may be met by savings from other Votes, but if not it will be my duty to present a Supplementary Estimate for the purpose.

SIR H. FLETCHER (Sussex, Lewes): I am sure the statement of the right hon. Gentleman will give the greatest satisfaction throughout the Volunteer force. As one who has served in the force for 30 years, I think the country is to be congratulated on the increase of the number of Volunteers by 16,000 during the year. These camps are of the greatest benefit in

bringing officers and men together. But I desire particularly to allude to the General Order just issued by the War Office in reference to Volunteers and their equipment. They are required to provide themselves with great coats, water bottles, and haversacks within a specified time—which may mean 12 months—or lose the capitation grant as non-efficient. I think it would be unfortunate if this regulation were insisted upon. It is, I admit, most patriotic on the part of the Lord Mayor of London to start a fund for the assistance of the Metropolitan Volunteers; but be it remembered that the Metropolitan Volunteers are only 31,000 out of a total of 200,000 who are required to provide themselves with the articles I have mentioned. Who will have to provide these articles for the Volunteers? The liability will fall no doubt upon the officers, and I think it will be rather hard upon them that they should have to borrow the money for the purpose. Having had to borrow a large sum of money for the regiment to which I belong, I know from experience that it cannot be obtained at less than 5 per cent; whereas if the Government were to furnish the great coats they could probably obtain the money at 2½ per cent. In the Estimates there is an allowance of 2s. per annum for every great coat produced; but still I think it would be better if the Government were to provide the coats themselves in lieu of the annual grant. I hope my right hon. Friend the Secretary for War will see his way to help us in the difficulty in which we shall be placed.

*COLONEL LAURIE (Bath): I rise to support the contention of my hon. Friend the Member for Sussex (Sir H. Fletcher). I wish to direct the attention of the Committee more especially to the Circular Letter recently issued. I entirely agree with the Secretary for War that the Volunteers ought to have all the articles mentioned under the first head of the Circular Letter recently issued. It is, however, also made incumbent on those who are in command of Volunteer regiments to provide the various articles mentioned under the second head. In the Letter it is stated that commanding officers should make their proper arrangements for obtaining those articles beforehand. In point of fact, they can only be obtained on payment of the Capitation Grant of two guineas per head in case of the mobilisation of the Volunteer force. I think the Government ought to enable us to obtain beforehand those articles which are necessary for the efficiency of a Volunteer regiment. Even the articles mentioned in the first category are not deemed essential by the Committee which sat a year or two ago under the Presidency of Lord Harris, and their enforced purchase would press hardly on the Volunteer force in the poorest parts of England. I am exceedingly glad to hear that the Secretary of State proposes to increase the amount of camp allowance; but I hope the right hon. Gentleman will give us some information as to the principle on which that allowance is distributed to the Volunteers. I should also like to have some information as to the manner in which the accounts are now passed. Many years ago all the accounts of the Volunteer regiments had to be passed by the War Office, but that was found unworkable, and the passing of the accounts was therefore handed over to a committee of the officers of each corps. This arrangement has worked very well, but I hear that there is to be a much closer inspection of the accounts now. I am an older member of the Force than perhaps any Member of this House; and I will remind the Government that 20 or 30 years ago every trifling payment a commanding officer made had to be certified by him in writing, even if it was only for sixpennyworth of firewood for the orderly room. Once, on signing a voucher for a small sum of money, I ventured to put the ½d. in figures, and the voucher was actually returned to me to be altered. The Committee will therefore see that when I ask that the supervision of the War Office should not be too close, I have some reason to dread it. I am told that it is intended to prevent any charge being made for increased lodging allowance for the permanent staff and drill instructors. I think the Secretary of State will admit that the price of living and lodging is very different in different parts of the country, and that a Staff sergeant who can live in luxury on the Government allowance in a distant part of

Cornwall cannot live so luxuriously in London. I hope the Secretary for War, before making any alteration in this matter, will consider that it will deprive the Metropolitan regiments of the services of a great many highly trained and efficient non-commissioned officers.

*SIR J. GOLDSMID (St. Pancras, S.): The officers of the regiment with which I happen to be connected have asked me to mention a matter which affects them seriously. They consider the new Order to be a very necessary one; but hitherto the arrangement has been that 2s. a year has been allowed to the Volunteers for the purpose of providing them with great coats and other necessaries. Gradually many regiments have been doing so, but if now they have to provide themselves with coats all of a sudden, they must either borrow the money or obtain it by means of a subscription among the officers and others. Now, one of the difficulties that Volunteer regiments have to contend with is this—that such heavy expense is thrown on the officers that when vacancies occur there is great difficulty in filling them, and there is great fear lest by throwing further expeuse upon them that difficulty will be largely increased. If it is not intended that officers should put their hands into their pockets, it is not fair that regiments should have to borrow the money in ordinary course, because bankers will not give money to Volunteer regiments under 5 per cent. On the other hand, the Government can borrow on much more favourable terms, and I submit that if the Government will assist them in that way a much smaller liability would be thrown on the funds of Volunteer regiments. In London the Lord Mayor has initiated a very considerable fund to provide for the needs of the Volunteers in the London district, but that will still leave 130,000 in the country to be looked after, and I think the Lord Mayor would have done greater service if he had made his fund apply to the whole country. No doubt the Lord Mayor cares primarily for the City which he so properly represents, but the necessities of Volunteers in all parts of the country are the same, and consequently if the fund is a patriotic fund it ought to be participated in by all the Volunteers in the country.

MR. MARK STEWART (Kirkcudbright): In common with many other Volunteer officers, I feel much gratified with the larger amount which is to be given to the camps, but before this Vote is passed, I should like to know where the camps are to be situated. In Scotland we are most anxious to get another camp besides that at Barry Links. This could be done at little expense, and, if it were done, I think the great majority of the Artillery Volunteers would have a strong inducement to attend. We find, in the West of Scotland, that it is almost impracticable to send our men to the east coast, and that the camp is very far removed from the largest centre of Volunteers in Scotland. I wish also to impress on the Government the great importance of withdrawing the old 32-pounder guns from the different batteries. They are utterly obsolete, and nothing is to be gained by practising with them. The men are thoroughly disgusted with having to drill with them. If we had a few more 4-pounders sent down and a few 6-pounders there would be much more anxiety on the part of the men to learn the drill, and I think that much better results would be attained. I am afraid it will be a long time before the new magazine rifle reaches the hands of the Volunteers; but, at any rate, I hope the right hon. Gentleman will give us some indication as to when that time may come, in order that our Volunteers may feel that their interests are not being disregarded. The cost of the gun houses has been found to be a great tax on many commanding officers, and the increased grant will no doubt tend to relieve them partially. As to the grant for great coats, I can only corroborate what has been fully stated, and trust that the Government may see their way rather to give great coats than to add 2s. to the capitation grant.

MR. LABOUCHERE: I will tell the gentlemen connected with the Volunteers why they are obliged to come to the House and ask for more money, or why they are obliged to put their hands in their own pockets. The reason is that they will not devote the money to the purposes for which it is intended,

and that the portion of it which they do devote to the purposes for which it is intended is wastefully used. Let me take a regiment of eight companies of 100 men each. The regiment would consist of 800 rank and file, and 27 officers—827 in all. What is the amount of money that such a regiment ought to receive from the Government? The Capitation Grant of 35s. per head would amount to £1,447, the extra capitation for proficiency of officers and sergeants would be £54, a 2s. allowance for great coats would amount to £82, the allowance for travelling to ranges over five miles would be £164, if five of the officers passed the examination in tactics the allowance would be £7, the stationery allowance at £2 10s. per company would be £20, the allowance for regimental headquarters would be £50, or a total of £1,824. Now let us see the expenditure. I take the main general items of expenditure as set down by the Departmental Committee which sat in 1887. Orderly room, drill rooms, &c., £240, ranges £160, conveyance to ranges £80, band £80, repair of arms £82, total £612. Coming to clothes, I find that every single item of equipment may be obtained for £3. Let us suppose that in a regiment of 800 men there are 150 fresh recruits each year. The equipment of these men would, therefore, cost £450. Let us suppose too that the equipment of 100 of the old men would have to be renewed every year; that would come to £300. The total cost of equipment, therefore, would be £750 per annum. Great coats cost 15s., but you can get them cheaper, because there are large numbers refused by the War Office, and these can be got for 6s. ["Oh, oh."] Well, I will deliver them myself at that price. But taking the cost at 15s., the total cost of greatcoats for 800 men would be £600. I take it that these coats would last at least 10 years. A Volunteer has to attend 30 drills in each of the first two years, and after that nine drills a year. I suppose a man would not be expected to wear his great coat at home as a dressing-gown, so that it is obvious it would last a very considerable time. But if great coats last 10 years, the cost would be £60 per annum. Taking, therefore, the general expenditure at £612, and clothing, including great coats, at £810, we have a total expenditure of £1,422, as against £1,824, which the regiment ought to receive. Now, why is it that this money is not sufficient to cover the expenditure? It is because, in the first place, the money is expended upon objects for which it is not intended. For instance, some of it is spent in regimental prizes. [Colonel LAURIE: No.] Does the hon. Gentleman mean to tell me that in some regiments regimental prizes are not provided out of the capitation money? Again, in some regiments the entrance fees of the men who are sent to compete for prizes at Wimbledon are defrayed out of the capitation grant, and in some instances even the expenses of the men while at Wimbledon are defrayed out of this money. [Colonel LAURIE: Not out of the capitation grant.] The whole capitation grant is put into a bag. [Colonel LAURIE: No.] The hon. Gentleman speaks for his own invaluable regiment; does he know the circumstances of every regiment in the Service? There is more wasteful expenditure on clothes. While some regiments spend as much as 37s. for tunics, and 21s., 22s., and 23s. for trousers, others spend 20s. and 13s. respectively. The reason of this high expenditure in some regiments is that the colonels of these regiments are neither military men nor business men. There ought to be a specific understanding as to the amount to be paid for these various articles, and I think the better plan would be to supply them out of the Government stores, and deduct the price from the capitation grant. Again, at present there is no fixed contract into which the recruit enters. In some regiments he has to serve three years and in others less. It is only reasonable that there should be some distinct system in this matter, and that the War Office should lay down definite rules and regulations. Now lately a subscription has been started by the Lord Mayor of London, which has a very laudable object, but I think it would be infinitely better for the money which will be raised to be spent in providing ranges for the men rather than in giving them equipments. I see it is proposed to give the men overcoats and boots. Now I should

like to know, are these coats and boots to be kept at head quarters, or are the men to be allowed to take them to their own homes? because if they are allowed to take them home, we may be sure that these articles will not be used merely for drill purposes, and that they will soon be worn out. You must remember that the class of men who now enlist in the Volunteer force are not the same as those who belonged to it some time ago. There are a considerable number of regiments entirely made up of artisans. I do not suggest that these men are not quite as respectable as those who formerly belonged to the Volunteers, but it must not be forgotten that they are not so rich, and they would be far more likely to wear the boots and overcoats at home. I hope that the Secretary for War will look into this matter, and that he will not think that in making these observations I am attacking the Volunteers. This is a most important matter. We are being perpetually asked for more money, and my point is that we should see that the best possible use is made of the money which is already granted, and that proper regulations should be laid down for controlling the expenditure of it.

*MR. E. STANHOPE: I feel sure there is a general disposition on the part of the Committee to grant me two or three more Votes to-night, and therefore I propose to offer a few observations with a view to trying to bring this discussion to a close. The hon. Gentleman who has just spoken addressed himself to the economic side of the question, and with very great force he pointed out the necessity of the accounts of Volunteer corps being carefully watched. So far as I can gather, sufficient supervision is already exercised over these accounts. The accounts come before the War Office, and are subjected to very minute examination, and anything which ought not to appear in them would at once be stopped. And now as to the question of equipment. The War Office has recently issued a Circular giving a list of articles which they consider necessary for the proper and efficient equipment of the force. Nobody will say that these articles are not necessary in order that the Volunteers may be ready at short notice to do their duty in the field. These items have all been recognized by various committees as necessaries, and the grant will enable the whole of the Volunteer force to be equipped with them in the long run. Take the great-coat, for instance. We have agreed to grant 2s. for every greatcoat. The effect of that is that every Volunteer corps will be able to get greatcoats and to pay for them by means of the grant. In many country districts corps had no difficulty in getting bankers to advance the money and in repaying the capital sum and interest by means of the 2s. grant. The number of Volunteers now in possession of greatcoats is 67,000, against 40,000 last year; and I am sure that next year there will be a considerable increase in the number. Of course, the War Office is perfectly prepared to give Volunteer corps reasonable and fair time to provide themselves with the articles which have been named in our Circular. In the City of London the Lord Mayor has come forward in a public spirit and is endeavouring to induce his fellow-citizens to give subscriptions for the purpose of supplying the items which are thought necessary by the War Office and also some other articles. The Lord Mayor will, I hope, be thoroughly successful, and I think he will find that the patriotic spirit of Londoners will be equal to the demand he has made. In London the Volunteers have a special expenditure to incur, because they have to provide headquarters and means of shooting at some range. All this is extra expense, and more than is incurred by corps in country districts. The same may, of course, be said in a modified way of corps in large towns. I will hope that this movement initiated by the Lord Mayor will be extended, and that in future more local support will be given to Volunteers. I think that public subscriptions in the various counties should enable Volunteer corps to be put into the field properly equipped without undue expense having to be incurred by the officers, who come forward at so much self-sacrifice to take a part in the movement. I can only add, as regards the equipment, that I look with great hope to the results of the

Circular which has been issued. I believe that if the Volunteer force applies its mind generally to this problem, in the course of the next year or two the great difficulties to be met with will be successfully surmounted. An hon. Member has urged that there should be a separate artillery range for Scotland. Now, that is a matter of expense. England has to content itself with one range, and the Government cannot be expected at present to ask the country to go to a great expense in establishing a second range unless the necessity for it is more absolutely proved than it has been. I am aware that the present artillery range at Shoeburyness is not convenient for all the Volunteers in Scotland, but the same may be said of the Volunteers in England, and much praise is due to the public-spirited manner in which they are making a sacrifice to qualify themselves at the existing range. In conclusion I may say I shall be glad to receive suggestions, and I can assure the Committee that I am trying to spend the money granted by Parliament to the best advantage of the Volunteer force taken as a whole.

Vote agreed to.

Motion made, and Question proposed,

"That a sum, not exceeding £477,600, be granted to Her Majesty, to defray the Charge for the Pay, Allowances, &c., of a number of Army Reserve First Class, not exceeding 58,300, and of the Army Reserve Second Class (including enrolled Pensioners), which will come in course of payment during the year ending on the 31st day of March, 1890."

*Sir WALTER BARTTELOT: I should like to ask a question in regard to this Vote. My right hon. Friend stated some time ago that the authorities were considering some plan for calling out the Army Reserves. I think he must be well aware of the absolute necessity there is for our knowing whether the Army Reserve is an efficient force, or whether it is, as some people say, a sham. I have no idea that it is a sham, but that it is as efficient as it ought to be I very much doubt. We do not know whether the men would be forthcoming if necessity arose; we do not know whether or not they would be effective; we do not know whether they would be up to the requirements and equal to that efficiency which every soldier is bound to attain before he becomes effective. Now, this is a question which deserves the serious consideration of the Government. Objection, I know, is made by many employers of labour to these men being called out, and it has been suggested as a reason for not calling out the Reserves that many men would thereby be deprived of their permanent employment. I venture to say, however, that employers are more patriotic than is suggested by that, and they would readily give assistance and employment to men who belong to the Army Reserve. I think some arrangements might be made for calling out the men at a time when it would not cause great inconvenience to the masters. For instance, the men might be drilled in the evening, along with the Volunteers; and I do hope, bearing in mind the importance of this matter, that the right hon. Gentleman will carefully consider it, and that he will afford the House some information as to the best means of effecting the object which we all have in view—namely, the testing the efficiency of the Reserve forces.

*Mr. E. STANHOPE: I agree with almost all my hon. and gallant Friend has said as to the desirableness of testing, if possible, the value of the Reserve. I believe the infantry reserve is a thoroughly reliable force, although it is more difficult to say the same as to the artillery and cavalry. But even if those arms were immediately required I believe they would be found to be fairly effective. I desire very much to bring this force to a practical test. But many exemptions would first have to be made, as, for instance, men in the Government employ, and then private employers of labour would regard it as a cause of grievance that their men should be called out to the detriment of business. Nevertheless, it seems to me essential that the Army Reserve should have some knowledge of the use of the new weapon likely to be in use, and I hope next year to devise some means whereby the Reserve men will have some training in the use of the new weapon. I believe that end

could be gained without an undue disturbance of trade.

LIEUTENANT GENERAL FRASER: I propose to detain the Committee for only a few moments, but I wish to say a few words on the question of the Reserve, and especially as regards the field artillery branch. His Royal Highness the Commander-in-Chief gave important evidence on this matter before Lord Randolph Churchill's Committee, and after that it was promised by the Secretary of State for War that the few attenuated batteries should be kept up to a proper strength in readiness for service, and that the Second Army Corps should not have to be drawn upon to supply men to the First Army Corps. But these promises have been entirely broken by the Government. I hold in my possession papers from distinguished officers, such as Lord Napier of Magdala, which prove the weakness of this branch of the Service. We have no horse artillery reserve. I think it would be well if a Committee of distinguished military men were appointed to inquire into the best means of bringing about a more satisfactory state of affairs. I hold it is absolutely essential we should have a Reserve to fall back upon.

MR. ARTHUR O'CONNOR (Donegal, E.): I think that any Member who takes an interest in the administration of the Army is justified in addressing the House on this subject, whether or not he belongs to the Service, and I am bound to point out that the question of the Reserves is one of vital interest, especially in view of the importance of keeping these Reserves up to a proper standard of efficiency in the event of times of difficulty arising. A distinguished French officer once said that in his view the most interesting point of military administration in this country was that the Militia existed only on paper, and was not a reality, and that the Reserve force was really an unknown quantity. At the time of the outbreak of the war between France and Germany it was found that the French Army existed only on paper, and we know what the result of that was. I think that this country will be somewhat surprised to read some of the observations which have fallen from the right hon. Gentleman the Secretary of State for War. He has referred to the supposed impossibility of calling out the Reserve on the ground that the employers would reasonably raise objections, and that, at any rate, the men in Government employ could not be called out. I should like to know how it is that it is impossible for men in Government employment to be called out. Surely they are the men as to whom the least difficulty should exist. It would have been well if the right hon. Gentleman had explained why these men cannot be called out. I have endeavoured to ascertain what difficulty there can be in the matter. I suppose, after all, it resolves itself into a question of expense, and that money would have to be forthcoming to supply the places of the men temporarily detached from duty. But that is a matter which is inseparable from any organization, and I do think that we ought to ascertain what the available force is, and that we should apply to it some test in order to gauge its efficiency.

COLONEL NOLAN: I should like to have an explanation of this £175,000, which includes the expense of the First Class Army Reserve——

It being Midnight, the Chairman left the Chair to make his Report to the House.

Resolutions to be reported to-morrow.

Committee also report Progress; to sit again to-morrow.

ASSIZES RELIEF BILL. (No. 167.)

Lords Amendments considered, and agreed to, with Amendments.

LOCAL GOVERNMENT (SCOTLAND) SUPPLEMENTARY PROVISIONS [SALARIES, &c.]. (No. 188.)

COMMITTEE.

Motion made, "That Mr. Speaker do now leave the Chair."—(*Mr. Jackson.*)

MR. BIGGAR (Cavan, W.): I object!

MR. JACKSON: I would appeal to the hon. Gentleman opposite—the stage is merely formal.

MR. BIGGAR: I know it is merely formal; but it is past 12 o'clock.

Committee deferred till Monday next.

CRIMINAL EVIDENCE BILL. (No. 96.)

Order for Second Reading read, and discharged ; withdrawn.

SUPPLY—REPORT.

Resolutions [4th June] reported.

Civil Services.

CLASS II.

1. "That a sum, not exceeding £23,000, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1890, for Her Majesty's Foreign and other Secret Services."

2. "That a sum, not exceeding £6,595, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1890, for the Salaries and Expenses of the Office of Her Majesty's Secretary for Scotland and Subordinate Officers."

3. "That a sum, not exceeding £4,726, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1890, for the Salaries and Expenses of the Department of the Queen's and Lord Treasurer's Remembrancer in Exchequer, Scotland, of certain Officers in Scotland, and other Charges formerly on the Hereditary Revenue."

4. "That a sum, not exceeding £4,036, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1890, for the Salaries and Expenses of the Board of Lunacy in Scotland."

5. "That a sum, not exceeding £4,497, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1890, for the Salaries and Expenses of the Department of the Registrar General of Births, &c. in Scotland."

6. "That a sum, not exceeding £25,464, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1890, for the Salaries and Expenses of the Board of Supervision for Relief of the Poor and for Expenses under the Public Health and Vaccination Acts, including certain Grants in Aid of Local Taxation in Scotland."

7. "That a sum, not exceeding £38,630, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1890, for the Salaries and Expenses of the Department of Her Majesty's Most Honourable Privy Council and Subordinate Departments."

Resolutions agreed to.

COUNTIES AND BOROUGHS (IRELAND) BILL. (No. 9.)

Order for Second Reading read and discharged.

Bill withdrawn.

COLONIZATION COMMITTEE.

Ordered, That Sir Edward Grey be discharged from the Select Committee on Colonization.

Ordered, That Mr. Schwann be added to the Committee.—(*Mr. Arnold Morley.*)

MOTIONS.

—o—

SETTLED LAND ACTS AMENDMENT BILL.

On Motion of Mr. Round, Bill to amend "The Settled Land Act, 1882," ordered to be brought in by Mr. Round, Mr. Elton, Sir John Kennaway, and Mr. Sydney Gedge.

Bill presented, and read first time. [Bill 275.]

ANGLING BILL.

On Motion of Mr. Thomas Ellis, Bill to amend the Law relating to Angling, ordered to be brought in by Mr. Thomas Ellis, Mr. Abraham, Mr. Arthur Acland, and Mr. Bowen Rowlands.

Bill presented, and read first time. [Bill 276.]

LUNACY ACT AMENDMENT BILL.

Ordered—

That it be an Instruction to the Committee on the said Bill that they have power to insert provisions for the assessment and rating of lunatic asylums on the same basis of value as other property in the towns or parishes in which they are situate, and to amend or repeal the 16 and 17 Vic. c. 97, s. 35, relating thereto.—*Mr. Mowbray.*

ELECTRIC LIGHTING (METROPOLIS.)

Copy ordered—

"Of Report made by Major Marindin after his inquiry held by direction of the Board of Trade into the various applications for Provisional Orders and Licenses under the Electric Lighting Acts in respect of the Metropolis, as well as into the subject-matter of a Bill introduced into the House of Commons by the Metropolitan Electric Supply Company, Limited, together with a Copy of Correspondence between the Board of Trade and the London County Council on the subject."—(*Sir Michael Hicks Beach.*)

Copy presented accordingly ; to lie upon the Table, and to be printed. (No. 189.)

House adjourned at twenty-five minutes after Twelve o'clock.

HANSARD'S PARLIAMENTARY DEBATES.

No. 2.] FIFTH VOLUME OF SESSION 1889. [JUNE 26.

HOUSE OF LORDS,

Tuesday, 18th June, 1889.

TOWN POLICE CLAUSES ACT (1847) AMENDMENT BILL. (No. 38.)

Returned from the Commons with the Amendments agreed to.

ASSIZES RELIEF BILL (No. 96.)

Returned from the Commons with the Amendments agreed to, with Amendments: the said Amendments to be considered on Thursday next.

FRIENDLY SOCIETIES ACT (1888) AMENDMENT BILL. (No. 91.)

SECOND READING.

*LORD BASING: In asking your Lordships to read this Bill a second time, I may explain that its object is to amend an Act of last Session which had for its object the exemption of certain Friendly Societies from the requirements and provisions of the 30th section of the old Friendly Societies Act of 1875. There are certain classes of Friendly Societies which exist for the mutual benefit of their members which ought not to be subjected to the provisions of that section, but owing to the defective drafting of the measure of last Session, some doubts have arisen with regard to its bearing on those societies. The present Bill will, I believe, cure that difficulty, and will enable the Registrar of Friendly Societies if he thinks fit, under the direction of the Treasury, to grant certificates of exemption. The Bill has passed through the House of Commons, and I believe has the sanction and approval of Her Majesty's Government.

*LORD NORTON: I have no objection to the Second Reading of this Bill, but I must protest against its form of unexplained reference to previous Acts, owing to the circumstances which make it necessary. It is a Bill to amend a Bill which was passed last Session, having been run through all its stages on the last night of the Session, and so that it was practically impossible for noble Lords to know what its provisions were. It can only now be understood by reference first to the Act of 1888, and from that to the Act of 1875, which imposes restrictions on arbitration from which this Bill would free some societies.

Bill read 2ª (according to order), and committed to the Standing Committee for Bills relating to Law, &c.

PASSENGER ACTS AMENDMENT BILL. (No. 100.)

SECOND READING.

*LORD KNUTSFORD: In moving the Second Reading of this Bill, I may explain that by the Passengers Act of 1855, the Governor of a colony or British Consul was authorized to defray the expenses of any passenger of a disabled or abandoned passenger ship who had been picked up at sea, and by the later Act of 1863 those powers were extended to cases of passengers of passenger ships who found themselves through no neglect or fault of their own in some colony or foreign port. But certain restrictions were imposed by those Acts. They only applied to passenger ships carrying a certain number of passengers and also proceeding on certain specified voyages. It has been found inconvenient that those restrictions should be left in force. They have given rise to

certain anomalous cases, and therefore it is proposed, with the assent of the Board of Trade, that those restrictions should be removed. The Bill is a short Bill for that purpose, and I have to ask your Lordships to give it a Second Reading.

Read 2a (according to order), and committed to the Standing Committee for General Bills.

HARES PRESERVATION BILL. (No. 72.)

Read 3a (according to order), and passed, and sent to the Commons.

OPHTHALMIA AT THE HANWELL SCHOOLS.

*THE EARL OF STRAFFORD, in rising to ask whether the attention of the Local Government Board has been directed to the prevailing suffering of the children at the Central London District Schools at Hanwell from ophthalmia; whether any remonstrances and directions have been addressed to the managers and other officials of the said schools, and with what result, said that, if his information were correct, something like one-third of 1,200 children now in these schools were suffering from this disease, and that so long ago as 1875 the Local Government Board had had to take the managers of these schools to task for a similar state of suffering which might, humanly speaking, be easily avoided if a little more care were taken and a little more expense incurred in providing more cleanliness, more ventilation, and other hygienic appliances, and in cases where the disease had shown itself, more perfect isolation. In the North Surrey District Schools, at Anerley, these precautions had been adopted, under the able supervision of Mr. Nettleship, with perfect success, as well as at the West London Schools, where the annual average of ophthalmic cases among 711 children is only three.

*VISCOUNT TORRINGTON: The attention of the Local Government Board has been directed for many years to the ophthalmia existing at Hanwell. In 1874 they caused the schools to be examined with respect to ophthalmia by Mr. Edward Nettleship, who had been consulted with regard to this disease in the case of other schools. His report was sent to the managers, and in the following year the views of the Board as to the course which should be taken were conveyed to them. The advice given by the Board included the following items—(1) Conveyance of the affected children to a separate site, with a view to their treatment under distinct administration; (2) the establishment of a more complete system of quarantine to prevent the introduction of ophthalmia into the school from without; (3) the provision of a distinct infant school, as the structure of the existing school was unsuitable for infants, and it was especially this class of children among whom ophthalmia prevailed; (4) various hygienic recommendations as to outdoor exercise. Unfortunately, these recommendations have been up to a recent period not fully adopted by the managers. The infant school was not erected, and the isolation of ophthalmic cases was not carried out in the way proposed. Nor has the admission of children whose eyes were in an unsound state been sufficiently prevented. Such imperfect measures of isolation as were taken resulted, however, in a certain degree of improvment in the condition of the schools until last year, when the disease again increased. The Board have since that time renewed their recommendations, and their medical inspector has held frequent conferences with the managers on the subject, in one of which the architect of the Board has taken part. The result has been that the managers have determined to build temporary huts on a piece of land sufficiently distant from the school buildings to secure the isolation of between 300 and 400 ophthalmic cases, under a medical officer specially engaged for the purpose. They have also resolved to build an infant school, and, further, to carry out some important structural improvements in the school buildings with the view of detaching these buildings from one another and facilitating the circulation of air. When these propositions have been carried into effect, there can be little doubt that these schools will enjoy the same freedom from ophthalmia that has resulted from the adoption of similar measures elsewhere.

*THE EARL OF KIMBERLEY: I confess, my Lords, that I have very considerable doubts whether the accumulation of a large number of children in one

building is desirable. The Select Committee which took evidence some time ago in reference to the administration of the Poor Law were informed that a very large number of children were collected in one of those district schools —very many more than was desirable for their health. As regards the disease of ophthalmia, I know from my own experience in Norfolk that it never arises without great mismanagement, and that when it does break out in places where a large number of children are accumulated it becomes practically unmanageable. I think the system of what are termed "cottage homes," which has been adopted at Birmingham and elsewhere, is preferable to large establishments the size of which—besides other objections—makes it difficult to deal with the outbreak of contagious disease.

House adjourned at Five o'clock to Thursday next a quarter past Ten o'clock.

HOUSE OF COMMONS,

Tuesday, 18*th June*, 1889.

QUESTIONS.

CHARGE OF BOYCOTTING.

MR. STOREY (Sunderland): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland in the case of James Doyle, sentenced to a month's imprisonment at Pilltown, what illegal acts were alleged or proved against him except his putting in his window the notice, "No bum-bailiffs or emergency men shod here?"

THE CHIEF SECRETARY FOR IRELAND (Mr. A. J. BALFOUR, Manchester, E.): I am advised that it was proved at the trial of Doyle that boycotting was being carried on in the district, and that such a bad and dangerous feeling existed against two caretakers who were caring a farm within about 200 yards from the house where Doyle resided that it was necessary to place them under police protection. The case was heard at an ordinary Petty Sessions. The Magistrate found himself satisfied that the notice referred to was not being used by Doyle *bonâ fide* for any purpose of his trade, but was intended to have, and in fact had, the effect of stimulating the boycotting which was being carried on and the ill-feeling which existed against the caretakers. Doyle having refused, when asked by the presiding Magistrate, to give an undertaking to desist from the course he was pursuing, was ordered to find bail for his future good behaviour. This he declined to do, electing to go to prison in default.

MR. STOREY: The right hon. Gentleman says that boycotting was rife in the neighbourhood. May I ask if it was alleged or proved against Doyle that he took any part whatever in boycotting except in putting up this notice?

MR. A. J. BALFOUR: The Magistrate was satisfied that the action taken by this man was taken in connection with boycotting and that what he did was done with the view of promoting boycotting.

MR. STOREY: Were the Magistrates satisfied upon the evidence?

MR. A. J. BALFOUR: I presume so.

MR. STOREY: I beg to give notice that on the Estimates, or on some other suitable occasion, I will call the attention of the House to this case

MUZZLING OF DOGS.

MR. NORRIS (Tower Hamlets, Limehouse): I beg to ask the Secretary of State for the Home Department if he is able to state whether the Privy Council is taking into consideration the recommendation of the Contagious Diseases (Animals) Acts Executive Committee of the London County Council to make compulsory and stringent regulations for the whole kingdom as to the muzzling and detention of dogs; if he is aware that the number of mad dogs killed in London during January was three, in February three, in March five, April six, and in May five, making a total of 22 for the five months of the present year; and if his attention has been directed to the fact that, in the past month alone, 1,528 stray dogs were captured by the police in London?

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. MATTHEWS, Birmingham, E.): I am informed by the Privy Council Office that they are now considering the proposal

of the London County Council. The total of mad dogs killed by police during the first five months of the year is, according to the latest police return, 23. The total captured during the month of May was 1,786.

THE LIVERPOOL WATERWORKS IN MONTGOMERYSHIRE.

MR. STANLEY LEIGHTON (Shropshire, Oswestry): I beg to ask the President of the Board of Trade whether, in view of the gigantic character of the waterworks and reservoirs now being constructed by the Liverpool Corporation in Montgomeryshire and at Oswestry, and of the dangers to which the inhabitants of the districts will be exposed should the stone dam or earthen embankments give way, the Government will make such provision for an independent inspection of the works as will satisfy the public of their sufficiency?

*THE PRESIDENT OF THE BOARD OF TRADE (Sir M. HICKS BEACH, Bristol, W.): The Board of Trade have no statutory power to make any such inspection as is suggested. But if the parties interested in the reservoirs desired such an inspection, I would endeavour to see if arrangements could be made for the purpose. I may say that in 1886 Sir Andrew Clarke, C.B., K.G., visited Vyrnwy and reported that, in his opinion, the building of the wall was being well and skilfully carried out, and that the section was so enormously in excess of actual requirements as evidenced by comparison with other existing masonry dams, that nothing short of an earthquake could possibly disturb it.

MR. STANLEY LEIGHTON: May I ask my right hon. Friend if he will take steps to ascertain whether the Liverpool Corporation would object to such an inspection as the Board of Trade would be willing to provide?

*SIR MICHAEL HICKS BEACH: I do not think I could quite do that; I might provide for inspection, if it was invited.

MR. STANLEY LEIGHTON: Is the right hon. Gentleman aware that there are large embankments in the neighbourhood of Oswestry which were not visited by the eminent engineer to whom he has referred?

Mr. Matthews

*SIR MICHAEL HICKS BEACH: That is very possible, but I cannot undertake to do that which I have no statutory power to perform.

ST. MARTIN'S-LE-GRAND MONEY ORDER OFFICE.

MR. KELLY (Camberwell, N.): I beg to ask the First Commissioner of Works whether the whole of the building materials on the premises used until lately as the Money Order Office at St. Martin's-le-Grand have been sold quite recently for only £150, or thereabouts, to Messrs. Brass and Sons, builders and contractors, of Old Street, E.C.; whether these building materials were sold to that firm by private tender, and will he state the names of the other firms to whom an opportunity of tendering was given, if Messrs. Brass and Sons were not the only persons invited to offer a price for them; whether Messrs. Brass and Sons will, under the terms of their contract for the erection of the new Post Office buildings, have the right to use the bricks, &c., of the buildings to be pulled down, though, when the building materials on the adjoining premises were sold an express stipulation was made that they should be removed within a very short period of the date of the sales; whether in similar cases the ordinary rule has been to hold a sale by public auction, as the only means of obtaining a proper price for the building materials to be sold, and he will state the reasons for that course having been departed from in the case in question; whether he will inform the House of the name of the person responsible for the rule having been ignored in the case of the sale of the building materials on the site of the old Money Order Office; whether he will cause inquiries to be made at once, with the view of ascertaining whether as much as £1,000 might not easily have been obtained for that which was sold to Messrs. Brass and Sons for only £150, or thereabouts; and, whether, on his ascertaining that, in consequence of the very unusual course adopted in selling the building materials in question, the loss of a considerable sum of money has been entailed upon the public, he will take any steps to rescind the contract made with Messrs. Brass and Sons for the sale to them of the building materials

in question, or at any rate call upon that firm so to vary its terms that such loss may, at any rate, as far as possible be minimised.

THE FIRST COMMISSIONER OF WORKS (Mr. PLUNKET, University of Dublin): As to the first paragraph of the question the answer is in the affirmative, but the materials were sold for £200, not £150 as stated in the question. As to the second paragraph the arrangement was made by private bargain, the amount being fixed by the Board's surveyor, Mr. Tanner, with my approval. No other firms were invited to tender. As to the third paragraph, the bricks can only be used for breaking up and mixing for concrete. Messrs. Brass are entitled by their contract to use broken bricks for concrete. As to the fourth paragraph, the most common practice is to include the sale and purchase of old materials on a building site in the contract for the new building, but they are sometimes sold separately, as in the case of the other buildings on this site (St. Martin's-le-Grand). This course was not followed in the case of the buildings of the Money Order Office because there was a pressure in regard to time, and also because it was considered that as good a price could be obtained from Messrs. Brass as from any one else. The price was fixed by the Board's surveyor as the result of a calculation based upon the prices which had been obtained after open competition for the materials of the other buildings on the site. These covered an area of 4,800 square yards, and fetched a net sum of £1,750. The Money Order building covered an area of 340 square yards, and an exact proportion would have given £124 for the materials. But as the buildings were loftier than the others the surveyor raised the amount he demanded to £200 net. As to the remaining paragraphs of my hon. Friend's question I think he will see from the facts I have stated that there is no ground for supposing that any considerable sum, or any sum at all, has been lost to the public, or that there has been any impropriety whatever in the course adopted.

MR. KELLY: Is the right hon. Gentleman aware that an offer of £800 was made for these building materials?

MR. PLUNKET: No, Sir; I can only say that if the hon. Member will bring any other facts under my notice I will inquire into them.

THE ARMAGH RAILWAY ACCIDENT.

MR. CHANNING (Northamptonshire, E.): I beg to ask the President of the Board of Trade whether it is the fact that the only brake in use on the Great Northern of Ireland Railway is a simple vacuum brake which can only be applied by the driver, which is not self-acting, and cannot arrest the motion of detached carriages or portions of trains; whether the same brake is in use on the Dublin, Wicklow, and Wexford, Great Southern and Western, and Midland Great Western lines; that of these four principal lines in Ireland only one, the Midland Great Western, has a brake which is self-acting and complies with the conditions laid down in the Board of Trade Circular of 1877, and that only applied to six vehicles; whether it is a fact that on the English lines, of the total rolling stock, 18 per cent are still without any continuous brake, and 22 per cent are fitted with brakes which do not comply with the conditions laid down by the Board, and that on the Scotch lines 40 per cent of the vehicles are not fitted with continuous brakes, and the vehicles of one company, the Highland, are fitted with a brake which is not self-acting; whether his attention had been drawn to the Circular issued by the President of the Board of Trade twelve years ago, in which he stated that there was no reason far any further delay, and that the Board felt it their duty to urge upon the railway companies the necessity for arriving at an immediate decision and united action in the matter, and to the fact that since 1877 the Inspectors of the Board have, in their Reports on many hundred accidents, repeatedly recommended the general use of automatic brakes on passenger trains; and, whether, having regard to the unexampled loss of life in the accident near Armagh, and to the circumstances of that accident, he will reconsider his recent reply as to the extension of the powers of the Board of Trade to enforce their recommendations and proceed with his promised legislation immediately. I wish to ask the right hon. Gentleman also whether his attention has been called to the Resolution passed yester-

day by the Corporation of Dublin, asking Parliament to speedily adopt measures to provide against the recurrence of any such calamity?

*SIR MICHAEL HICKS BEACH: In reply to the last question of the hon. Member, I have to say that I have seen a report of the proceedings of the Dublin Corporation in the Press. The facts are practically as stated in the question of the hon. Member, except that, in the second paragraph, he has substituted the Midland Great Western for the Great Southern and Western, which has the automatic vacuum on one engine and six vehicles. I have, of course, seen the Circular of the 30th August, 1877, referred to, and the Reports of the inspecting officers. I cannot, as yet, form an opinion how far the recent terrible accident near Armagh may have been due to the want of an automatic brake or to any cause which legislation could prevent in the future. But if the opinion pointed to in the hon. Member's question should be borne out by General Hutchinson's report, I will certainly consider whether it may not be possible to deal with the subject during the present Session. I should hope that, in such an event, a Bill for the purpose would not be considered to fall within the category of fresh controversial matters of importance, which I should be precluded from undertaking by the statement made yesterday by the leader of the House.

THE BOER EXPEDITION INTO SWAZILAND.

VISCOUNT EBRINGTON (Devonshire, Tavistock): I beg to ask the Under Secretary of State for the Colonies whether he can give any information as to the alleged Boer expedition into Swaziland, or as to the application for Portuguese protection said to have been made by the Queen of the Amatongas?

SIR ROBERT FOWLER (London): May I also ask whether Her Majesty's Government has received confirmation or contradiction of recent newspaper reports from Natal to the effect that agents of the South African Republic have proceeded to Swaziland with a view to the annexation of that country, and that the Queen of Amatongaland has asked to be placed under the protection of Portugal; and, if either of these reports be true, whether the Government is prepared to sanction such proposed supercession of British influence in South Eastern Africa?

THE UNDER SECRETARY OF STATE FOR THE COLONIES (Baron H. de WORMS, Liverpool, East Toxteth): With the permission of the House, I will answer at the same time the question put by my hon. Friend the Member for the City of London. The President of the South African Republic has informed the Acting High Commissioner that the Vice President and State Attorney have started for a visit to Swaziland, with the concurrence of the Swazi King, in order amicably to discuss certain matters at issue, and to endeavour to prevent any outbreak or disturbance on the occasion of the re-election of the European Committee next month. The President states that it is not the intention of the Government of the South African Republic to interfere with Swaziland. No military escort accompanies the Transvaal officials, but two men belonging to the local artillery force have been taken as drivers. Her Majesty's Government are at present considering the propriety of a Commission of Inquiry into the affairs of Swaziland, and in the meantime Colonel Martin has been directed to visit the King, and report the actual circumstances of the position. It is true that Queen Zambile of Amatongaland has sent messengers to the Portuguese Government, but there is no reason to doubt that that Government will loyally adhere to the terms of the MacMahon award. I may add that the Queen of Amatongaland concluded a treaty with this country in July, 1887, by which she bound herself not to cede her territory to any foreign power.

HALF-TIME EMPLOYMENT OF CHILDREN.

VISCOUNT CRANBORNE (Lancashire, N.E., Darwen): I beg to ask the Vice President of the Committee of Council on Education, whether he is aware that the absence of any alternative qualification to the certificate of proficiency for the half-time employment of children under 13 years of age is felt as a hardship in certain cases of poor or dull children; and, whether he will lay upon the Table a Return showing the number of children who availed

themselves of the certificate of previous due attendance permitted by the Act of 1876, and any opinions upon the working of that provision expressed by Her Majesty's Inspectors in their Reports?

*THE VICE PRESIDENT OF THE COUNCIL (Sir W. HART DYKE, Kent, Dartford): No evidence has reached the Department of the existence of any such sense of hardship as that indicated by my noble Friend. The alternative of previous attendance was abandoned by the Act of 1880 in the case of children under 13, in consequence of its proving impracticable to work the provision, and the opinion of persons engaged in the administration of the Education Acts was unanimous in favour of the change.

TRAMWAY *EMPLOYÉS.*

MR. BAUMANN (Camberwell, Peckham): I beg to ask the Secretary of State for the Home Department whether, in view of the fact that a large number of tramway *employés*, estimated at a thousand, are at present out of work, with licenses in their pockets, he will consider the propriety of restricting the issue of licenses by the Scotland Yard Authorities, and will give instructions accordingly?

MR. MATTHEWS: I regret extremely the condition of things brought about by recent disputes between tramcar employers and their men; but it would not be lawful or justifiable for the police to intervene in these disputes by arbitrarily restricting the number of licenses issued. As I understand the law on the subject, any person of the prescribed age who produces evidence of good behaviour and fitness and pays the fee is entitled to a license as a qualification for obtaining work; and the police would exceed their powers if they refused to give a license to a qualified person.

IRELAND—THE LABOURERS' DWELLING ACTS.

SIR CHARLES LEWIS (Antrim, N.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether it is still the case that the Labourers' Dwelling Acts (Ireland) are practically a dead letter throughout the whole of the province of Ulster; whether he is aware that this state of things has caused widespread discontent throughout that district largely peopled with agricultural labourers; whether, considering the repeated legislation in the interest of the farmers, the wants and appeals for remedial legislation by the real tillers of the soil are not worthy of early attention; and, whether, in any future land legislation, the Government may hereafter undertake, the case and condition of the labourers will be provided for?

MR. A. J. BALFOUR: It is the case that in Ulster the persons who have power to originate proceedings under the Labourers' Acts have not evinced much desire to do so. The Local Government Board have no information before them showing that this has caused widespread discontent. My hon. Friend will see that it is not possible for the Government to give any pledge with regard to the character of future legislation which it may be their duty to introduce. But I can assure him that we have every desire to promote the real interests of every class in the community.

PUBLICATION OF BIRTHS, MARRIAGES, AND DEATHS.

MR. LEAKE (Lancashire, S.E., Radcliffe): I beg to ask the President of the Local Government Board if it has been brought to his knowledge that considerable regret and dissatisfaction have been excited in the country by the prohibition of the practice of giving to local newspapers a list of the local deaths, marriages, and births, which practice has been customary for a period of 30 years; if he is aware that the Local Board of Radcliffe, at their last meeting, passed a resolution requesting the Member for the Division to ask the question in the House of Commons why the facilities for obtaining such information have been withdrawn; and if he could reconsider the decision on the subject?

MR. MATTHEWS: On behalf of my right hon. Friend, who is unable to be present, I beg to answer the question for him. I have no information that there is any such dissatisfaction in the country as is suggested in the question with regard to the prohibition of registrars of births, deaths, and marriages furnishing local newspapers with particulars of the cases registered by them.

I am strongly of opinion that when a statutory duty is imposed upon persons to furnish information for registration for public purposes, they have good cause to complain if the officers who act as registrars supply the particulars to the local Press. When the facts have been thus communicated it has been in contravention of the regulations of the Registrar General, and I cannot undertake to suggest that any alteration should be made in these regulations in this respect.

THE TITHE QUESTION IN WALES.

MR. JASPER MOORE (Shropshire, Ludlow): I beg to ask the First Lord of the Treasury whether, with reference to the memorials which have been presented to him from the clergy of most of the counties of Wales, stating that redemption of tithe rent-charge is the only settlement of the tithe question which would suit their case, the Government would favourably consider the appointment of a Committee of Members of both Houses of Parliament, now or next Session, to take the evidence of experts as to the value of the tithe rent-charge, with a view to its redemption?

*THE FIRST LORD OF THE TREASURY (Mr. W. H. SMITH, Strand, Westminster): Without giving a definite pledge so far in advance, I think the Government would be willing to favourably consider the appointment next Session of a Committee of both Houses of Parliament to take evidence as to the value of the tithe rent-charge.

MINING ROYALTIES COMMISSION.

MR. BURT (Morpeth): I beg to ask the First Lord of the Treasury whether he can now state the terms of reference to the Royal Commission on Mining Royalties, and the names of the Members who have agreed to serve on the Commission?

*MR. W. H. SMITH: The terms of reference to the Royal Commission on Mining Royalties will be as follows:—

"To inquire into the amounts paid as royalties, dead-rents, and wayleaves on coal, ironstone, iron ore, and other metalliferous mines worked in the United Kingdom, and the terms and conditions under which those payments are made, and into the economic operation thereof upon the mining industries of the country; and, further, to inquire into the terms and conditions under which mining enterprise is conducted in India, the Colonies, and foreign countries by the system of concession, or otherwise, and the economical operation thereof."

The following gentlemen have been asked, or have intimated their readiness, to serve:—Lord Northbrook, Lord Macnaghten, Mr. Burt, M.P., Mr. Chisholm Robertson, Mr. W. Abraham, M.P., Mr. Josiah Thomas, Mr. S. Auldjo Jamieson, Sir W. Lewis, Mr. W. Cole Pendarves, Mr. Archibald Hood, Mr. N. Wood, M.P., Mr. John Knowles, Mr. D. Dale, Mr. G. Baker Forster, Mr. H. Hucks Gibbs, Mr. Kenrick, M.P., Professor Munro, Mr. T. R. Redington, and Mr. C. Whitmore, M.P.

IRELAND—THE PLAN OF CAMPAIGN AT WEXFORD.

MR. W. REDMOND (Fermanagh, N.): I wish to ask the Chief Secretary for Ireland whether the Government have issued summonses against Canon Doyle, Father Brown, and Mr. J. Cummins, and 25 persons in County Wexford, for attending National League meetings, and for other work in connection with the Plan of Campaign, and if so, whether in view of the public excitement which has been occasioned by these proceedings, they will cause them to be discontinued, and so prevent the considerable disturbances which will probably be created?

MR. A. J. BALFOUR: I must ask the hon. Member to give notice of the question.

MR. W. REDMOND: I will put it to-morrow.

THE NAVAL REVIEW.

MR. CHANNING: I wish to ask the First Lord of the Admiralty if it has been definitely settled that the Naval Review is to take place on the next Bank Holiday, and as that day would be most inconvenient to Members, whether there is any possibility of altering it?

THE FIRST LORD OF THE ADMIRALTY (Lord G. HAMILTON, Middlesex, Ealing): There is not to be a Naval Review in the ordinary sense of the term. There is to be an inspection of vessels in commission. The date of the inspection has been fixed for the 5th of August which, I believe, is Bank Holiday, and although I am sorry that that day will be inconvenient to Members of Parliament, it must be remembered that it is convenient to the general public.

PARTNERSHIP BILL.

Ordered—That the Select Committee on the Partnership Bill do consist of Seventeen Members.

The Committee was accordingly nominated of—Mr. Addison, Mr. Baring, Mr. Barran, Mr. J. A. Bright, Sir Edward Clarke, Mr. Radcliffe Cooke, Mr. Coddington, Sir Horace Davey, Mr. Arthur Elliot, Mr. Haldane, Colonel Hill, Mr. Peter M'Donald, Mr. Murphy, Mr. Edmund Robertson, Sir Bernard Samuelson, Mr. J. W. Sidebotham, and Mr. Whitley.

Ordered—That the Committee have power to send for persons, papers, and records.

Ordered—That Five be the quorum.—(*Colonel Hill.*)

MOTIONS.

MEDICAL ACT (1886) AMENDMENT BILL.

On Motion of Sir Walter Foster, Bill to amend "The Medical Act, 1886," ordered to be brought in by Sir Walter Foster, Mr. Whitmore, Sir Trevor Lawrence, Sir Guyer Hunter, Dr. Farquharson, and Sir Lyon Playfair.

Bill presented, and read first time. [Bill 277.]

OCCUPIERS AND LODGERS (METROPOLIS) BILL.

On Motion of Mr. Causton, Bill for the Registration of Occupiers and Lodgers in the Metropolis, ordered to be brought in by Mr. Causton, Mr. Sydney Buxton, Mr. Beaufoy, Mr. Cremer, Mr. Howell, Mr. Lawson, Mr. Montagu, Mr. Octavius V. Morgan, Mr. Pickersgill, Mr. James Rowlands, and Mr. James Stuart.

Bill presented, and read first time. [Bill 278.]

LOCAL GOVERNMENT (SCOTLAND) SUPPLEMENTARY PROVISIONS [SALARIES, &c.]. (No. 188.)

Considered in Committee.

(In the Committee.)

Resolved, That it is expedient to authorize the payment, out of moneys to be provided by Parliament, of salaries or remuneration to, and of the expenses incurred by, the Boundary Commissioners, Assistant Commissioners, Secretary, Officers, and persons appointed under any Act of the present Session to make Supplementary Provisions for amending the Laws relating to Local Government in Scotland.

Resolution to be reported to-morrow.

LUNACY ACTS AMENDMENT [REMUNERATION]. (No. 199.)

Considered in Committee.

(In the Committee.)

Resolved, That it is expedient to authorize the payment, out of moneys to be provided by Parliament, of Remuneration to any person who may be directed by the Commissioners in Lunacy to visit a single patient under the provisions of any Act of the present Session to amend the Acts relating to Lunatics.

Resolution to be reported to-morrow.

BOARD OF AGRICULTURE [SALARIES, &c.]. (No. 221).

Considered in Committee.

(In the Committee.)

Resolved, That it is expedient to authorize the payment, out of moneys to be provided by Parliament, of a Salary of £2,000 a year to the President of the Board of Agriculture, and of such salaries and remuneration as the Treasury may determine, to the Secretary, Officers, and Servants of the said Board, and of all Expenses incurred by the said Board under any Act of the present Session for establishing a Board of Agriculture for Great Britain.

Resolution to be reported to-morrow.

ORDERS OF THE DAY.

MERCHANT SHIPPING (PILOTAGE) BILL. (No. 243.)

Order for Committee read and discharged.

Question proposed,

"That the Bill be committed to the Standing Committee on Trade, &c."

*Mr. CAUSTON: With regard to this Bill, I should like to state that a strong feeling prevails among wharfingers, lightermen, and others, that no notice has been taken in the Bill of the strong recommendation contained in the Report of the Select Committee on Pilotage in reference to the liability of the owner of a vessel when a pilot is on board. I beg to give notice that when the Bill reaches the Grand Committee I shall move an Amendment declaring that the liability of an owner or master of a vessel is not affected by the compulsory employment of a pilot.

MR. COSSHAM (Bristol, W.): I had an interview yesterday with some pilots on this question, and they expressed anxiety that gentlemen who are experts

on the question of pilotage should be placed on the Committee.

Question put, and agreed to.

SUPPLY—NAVY ESTIMATES.

Considered in Committee.

(In the Committee.)

1. £451,000, Works, Buildings, and Repairs, at Home and Abroad.

2. £121,900, Medical Establishments and Services.

3. £11,400, Martial Law, &c.

*Mr. BRADLAUGH (Northampton): I do not know whether the First Lord of the Admiralty is in a position to say anything as to the extraordinary case which in a sense is still pending, with regard to the young man Thompson who was imprisoned as a deserter from one of Her Majesty's ships.

*The FIRST LORD OF THE ADMIRALTY (Lord George Hamilton, Middlesex, Ealing): I should be very glad to make a full statement with regard to this case if judicial proceedings were not still pending. I may, however, just state one or two facts concerning it which I think are not known to the public. The main difficulty has arisen from the conduct of the young man himself, who stated, both to the police and to the adjutant of the Militia regiment which he joined, that he was a deserter from the Navy. There was also a remarkable identity between him and the actual deserter as regards tattoo marks on his left arm. While in prison he was visited by the chaplain 75 times, and neither to him nor to the visiting justices did Thompson make any complaint. While he was travelling to Lewes Gaol he stated to his escort that he was the deserter, but on arriving he informed the governor that he was not. The governor, on learning what the young man had said to the escort, disbelieved his story. I am not aware whether any punishment followed in regard to that statement. Thompson served his 90 days, and returned to the *Duke of Wellington* and then stated to Captain Woodward that he was not the deserter, and gave the name of his mother as a person who could testify to his identity. Captain Woodward at once communicated with the chief constable, and received in reply a communication from the chief constable and Mrs. Thompson, which induced him to believe that the boy was not the deserter, and had never been in the Navy at all. Investigation followed, and, it being tolerably clear from the evidence that the young man was not the deserter, an order was sent to release him and hand him over to the Military Authorities. A statement to this effect was made to the clerk to the solicitor who had interested himself in the case, and it was not until after that that the solicitor applied for a writ of *habeas corpus*. The order of the Admiralty for the discharge of the young man was made two days before the writ of *habeas corpus* was issued. I am glad the hon. Gentleman has raised the question, because I desire to assure him that in my opinion every Department of the State, whether it be the Admiralty, the War Office, or any other Department, must comply with the very letter of an order of the court, and more especially so when the liberty of the subject is affected.

*Mr. BRADLAUGH: I do not intend to make comments which might be shown in Court to be ill-founded or which might be suspected of being used for the purpose of creating an outside opinion when the matter is being dealt with by the Judges, but I think there are some points of the case to which the attention of the First Lord of the Admiralty will have to be drawn later. It is very remarkable that we should be told of the identity in the appearance of the two men when it appears that Thompson was two inches shorter than the deserter. I am quite aware, however, that there may have been foolishness and recklessness on the young man's part.

*Lord G. HAMILTON: Perhaps the hon. Gentleman will raise the question on the Admiralty Vote. I wish, however, to correct one statement. The boy was induced to make an affidavit that he was two and a-half inches shorter and seven years younger than the deserter. Both of these statements were false. He was only one year younger than the deserter and he was two and a-half inches taller, not shorter. An examination of the deserter's antecedents showed that he only grew half-an-inch between the ages of 16 and 17, and it is quite possible he

might between 17 and 18 have grown two and a-half inches.

Vote agreed to.

(4.) £71,900, Educational Services.

(5.) £31,900, Divine Service.

(6.) £147,500, Royal Naval Reserves.

CAPTAIN BETHELL (York, E. R., Holderness): Perhaps the noble Lord will recollect the discussion which took place last year with regard to the teaching of signalling to men of the Reserve. I should be glad to know whether the noble Lord has carried out his undertaking to make an inquiry into the subject?

*LORD G. HAMILTON: We have not done much during the last twelve months to teach the Reserve men signalling, but we have taught signalling to more men in the Navy. I will look into the matter and try in some way to effect what the hon. Gentleman proposes.

CAPTAIN BETHELL: I think that something might be done to teach signalling in the merchant service. The subject is certainly worth investigation.

Vote agreed to.

7. £1,619,300, Shipbuilding, Repairs, Maintenance, &c.—Personnel.

8. £1,475,500, Shipbuilding, Repairs, Maintenance, &c.—Materiel.

MR. HANBURY (Preston): I should just like to ask the First Lord of the Admiralty what is being done to keep a proper check upon the stores? Some startling evidence was given by the late Director to the Public Accounts Committee last year as to these stores. He is now handing them over to his successor, and it is absolutely impossible for him or his successor, or for this House, to know what the value of the stores is. There is absolutely no control over the stores. Stock is taken by officials earning very small wages indeed, and under the control of the particular Department of the Admiralty from whose stores stock is being taken. The Director of Stores at the Admiralty cannot, on his own confession, exercise sufficient control over those stores, and I want to know how far any change in the Admiralty administration with regard to the control of these stores is being brought into play. It seems to me a great anomaly, that, while we have the control, generally speaking, of almost every penny of expenditure, we have absolutely no control whatever over the enormous stores of this Department. This applies not only to the Admiralty but to the War Office. Do the Government intend to take any steps in order that the nation may be assured that the stores which have been paid for are really in the possession of the Government?

THE SECRETARY TO THE ADMIRALTY (MR. FORWOOD, Lancashire, Ormskirk): I can assure the hon. Member for Preston that the question of the control over the stores is one engaging the attention of the Admiralty very anxiously. He will be aware that some eighteen years ago the examination of the stores accounts was placed for the first time in the hands of the Controller and Auditor General in order to have a more correct record of the stores than formerly. The accounts had previously been simply records as regards quantity, but the system of stock value was then introduced. In addition to quantity we now keep a record of the stores as applicable to each different ship, and these accounts are kept under the Dockyards Expenses Account. As to stock-taking, a Committee, consisting of an officer from the Treasury, the new Controller and Auditor General, and an officer of the Public Accounts Department, has been appointed to inquire into the mode of keeping the stores account. We are awaiting until the Report of that Committee is received in order to see how best the system can be improved. The Report has not been officially received by the Admiralty, although it has, I understand, reached the Treasury. I believe it will deal with the question of stock-taking, which is undoubtedly a very important matter. It has hitherto been conducted in a not very satisfactory way, but we hope before many months are over to be able to put the question of stock-taking and checking the quantity of stores under a responsible officer quite independent of the Controller of Stores.

SIR U. KAY-SHUTTLEWORTH (Lancashire, Clitheroe): I think it will be satisfactory to the Committee to know that this question has received the attention of the Public Accounts Committee. As soon as the Report of the Committee

of the Treasury has been received they will make a Report upon the subject. The Public Accounts Committee are quite alive to the great importance of putting a proper check upon the stores. I need hardly say that the Controller and Auditor General is also fully alive to the importance of the subject, and is giving to it much anxious consideration. When we have the Report of the Committee of the Treasury before us, however, we shall be in a much better position than we are now to discuss the question.

Vote agreed to.

9. £1,565,000, Shipbuilding, Repairs, Maintenance, &c.—Contract Work.

CAPTAIN BETHELL: Would it not be proper to ask on this Vote whether there is any hope of raising the *Sultan*?

*LORD G. HAMILTON: A salvage company did make proposals to the Government, the last of which was that if they brought the *Sultan* into dock, they should receive £50,000. As my hon. and gallant Friend is well aware, there are a number of valuable fittings on board the *Sultan*, and it is possible that the Salvage Company, though unable to raise the ship, may be able to save a portion of them, in which case the Company will receive a remuneration of 40 per cent of the value of the fittings saved. In the opinion of the most competent men at the Admiralty there is no chance of raising the vessel itself.

*ADMIRAL FIELD (Sussex, Eastbourne): Will the noble Lord the First Lord of the Admiralty tell us how many merchant vessels are included in the total Vote under the head "Royal Reserve Merchant Cruisers"? And can he tell us that in future the Admiralty will not recognise merchant cruisers as suitable vessels to be armed for Naval purposes, unless their engines are below the water line? I know that at present such vessels cannot be included in the list, as merchant ships have not been constructed on this plan; but it does strike us Naval men as an important point to be insisted on that in all future expenditure in this direction only such merchant vessels as have their engines below the water line shall be included.

*LORD G. HAMILTON: We have now 11 merchant vessels on our list, each of them fitted so as to be utilised as Naval cruisers on the shortest notice, and several of them having their crews partly composed of Naval Reserve officers and men. We have made arrangements with the owners whereby these vessels would be armed and supplied with ammunition within eight days. The hon. and gallant Member desires me to lay down the rule that in future no vessel shall be recognised as a cruiser for Naval purposes unless it has its engines below the water line. Well, my hon. and gallant Friend will be glad to know that four out of the 11 ships I have referred to have their engines and boilers below the water line. These vessels are the new ships of the White Star Line. It is not felt desirable, however, to lay down an absolute rule upon the subject, although the example of Mr. Ismay of the White Star Line, to whom great credit is due in the matter, is one which other owners would do well to follow. It is possible in the case of large ocean-going steamers to put the engines below the water line and protect the vital parts with coal bunkers, but of course the case is different with small ships.

*MR. R. W. DUFF (Banffshire): I wish to refer to one of the recommendations of the Committee upstairs, to the effect that in selecting the designs for vessels regard should be had to outside opinion. So far as I can understand, the outside opinion that the Admiralty have chiefly regarded has been that of Naval officers. I do not deny that Naval officers ought to be consulted; but I think that what was intended by the Committee was that regard should be had to the opinion of Naval architects, according to the view expressed by Mr. White in his evidence. In this scientific age I think it is necessary to consult the leading experts in ship construction before any new departure is made. Well, a new departure has been made in regard to the *Blake* and *Blenheim*, for up to the present we have never built ships of 9,000 tons without vertical armour. This sort of armour is necessary in order to resist the high explosives—such as dynamite shells—which are coming into use in maritime warfare, and the Government seem to me to place too much reliance on horizontal armour.

MR. ISAACSON (Tower Hamlets, Stepney): I wish to point out that the two firms which now supply the Admiralty with armour plates have no kind of competition whatever, and we pay in consequence something like £100 a ton. I want to know whether the Admiralty have any intention of starting works of their own with a view of competing with these two firms? I think the question is one that is worth considering, and I believe that if something were done we should be able to effect a considerable saving of money. No doubt there was a time when we were not in a position to pick and choose where we should obtain our armour plates; but we are now building a large number of new vessels, and as there is likely to be a continuance of shipbuilding, there would be ample employment for any works we might establish ourselves. I do not say that these two firms act in collusion in order to maintain prices; but I do think that £100 a ton is a great deal too much money to pay.

*ADMIRAL MAYNE (Pembroke and Haverfordwest): I should like to say a few words in regard to the question of what may be called outside advice. Certainly I do not see in what way such advice can be rendered more valuable than at present. The right hon. Member for Bradford (Mr. Shaw Lefevre) has constantly urged the appointment of a Committee; but he has never yet told us for what purpose a Committee is to be formed, nor of whom. Is it to be formed for the purpose of deciding what number of ships are to be built? That would altogether relieve the Government of the day of responsibility. If it is to be for the purpose of deciding the exact sort and shape of the ships to be built, the Constructor's Department and the whole of the Executive Department of the Admiralty would then be relieved of their responsibility. The present Constructor, Mr. White, is a man who was not brought up at the Admiralty, but who made his name in merchant shipping yards, and he is in constant communication with naval architects of all sorts. The designs which he has prepared this year have been laid before naval architects, and approved generally by them and by shipbuilders in this House. Therefore, I cannot see what is to be gained by calling in other constructive experts. It will be for naval officers to decide what ships they will have to fight in, and what armour and guns are necessary; and all the Naval Constructor has to do is to carry out their decisions so as to ensure the speed and safety of the vessel to be constructed. That is what was done when the First Lord called in experts from outside the Admiralty and took their opinion upon the matter. With regard to the question of vertical armament, the hon. Member for Banff was in this House when Sir Thomas Brassey took credit to himself for the armament of the *Mersey*. In the presence also of the hon. Member for Cardiff (Sir E. Reed), who has of late said so much on this question, Sir Thomas Brassey held that the *Mersey* was quite equal to any of the Russian ironclads, because her 3-inch horizontal armour was equal to the 6-inch vertical armour which the Russian ironclads had. At present we have no new element of danger to compete with, whatever new ships may be laid down.

MR. CHANNING: May I ask the First Lord of the Admiralty if there is any possibility of altering the design of the protected cruisers in the new programme, so as to maintain a somewhat higher rate of speed and also to increase the coal endurance of the cruisers? In regard to cruisers generally, the diminution of speed as compared with other vessels owing to the loss of coal-carrying power is a very serious drawback. To remove a ship from the range of highly explosive guns is essentially a question of speed; and the noble Lord in introducing the Naval Defence Bill admitted that speed is one of the most important elements in the strength of a cruiser. I hope we may have some assurance that in the respects I have mentioned the speed and rate of coal endurance will be something like those of the *Blenheim*.

*ADMIRAL FIELD: There is one other point to which I wish to draw attention. I think there would be much force in the remarks which have been made in regard to outside opinion if we could only get hold of that outside opinion. I entertain a great respect for the constructive talent of the Board of Admiralty; but I do not think they have a monopoly of all the talent, or that we ought to be confined to the opinion of

one man, be he ever so clever. I wish to press the noble Lord upon another point. A year has elapsed since I put a question to the noble Lord about it; but the officials of the House thought it right to scratch out a portion of it, because they thought I intended to make fun of the noble Lord. In my question I asked the noble Lord if he would adopt the plan of the French Navy, of sending our constructors to sea with the Channel Squadron in order that they might have an opportunity of studying the behaviour of ships when subjected to serious wave disturbance? It is an undoubted fact that we have had ships designed and passed into the Navy contrary to the opinions of the best officers of the Navy. Will the noble Lord take care that in future no Assistant Constructor shall be appointed to the post of Chief Constructor unless he has had practical experience at sea? I do not want to make him sea-sick; but I want him to be out in a jolly good gale of wind, so that he may thoroughly comprehend all that a sailor has to contend with, and have some experience of the tremendous strains ships have to bear in severe weather. If Naval Constructors had acquired such experience in the past they would not have designed battle-ships with the low freeboard of the *Admiral* class.

*ADMIRAL MAYNE: If ever there were naval officers' ships they are those of the *Admiral* class. It is perfectly well known that the late Sir Cooper Key, and the Lords of the Admiralty of that day, were mainly responsible for this class, and Sir W. H. Stewart, who was then Controller of the Navy, has lately stated in public that he was proud to father them.

*LORD G. HAMILTON: I will answer shortly the questions which have been put to me. It has been urged that a Committee should be formed of outside opinion to assist the Admiralty in considering new designs for battle-ships. Hitherto we have declined to call in constructors from the outside, who, it has been found, almost invariably adopt the designs of the Admiralty. At the same time, the Chief Constructor is in the habit of consulting experts outside the Admiralty and getting the best information he can, so that as far as possible a consensus of naval opinion as to the requirements of the various ships that are built should be arrived at. The Chief Constructor considers the proposals submitted to him, and then states whether it is possible to comply with them. If he has any doubt upon the matter, or there is any point which requires outside opinion, he is at liberty to call in that outside opinion. But while this liberty is allowed, our object is to concentrate responsibility upon one man. I am of opinion that if it is desired to build a thoroughly bad ship the best thing would be to appoint a Royal Commission or a Committee to build it. The hon. Member for Banffshire (Mr. Duff) has called attention to the two largest cruisers, the *Blake* and the *Blenheim*, and suggests that they should have a certain amount of vertical armour. I, however, agree with my hon. and gallant Friend behind me, the Member for Pembroke (Admiral Mayne), that we are still in the infancy of the science of high explosives, and it is impossible to say how much protection steel plates will give. But I agree that it is essential that protection should be given to the men who serve the guns, and the Admiralty have accordingly given special study to the means of protection other than vertical armour; and I believe we have succeeded in designing an armour casemate which will give sufficient protection to each gun's crew. It is, however, impossible adequately to protect cruisers of the size of the *Blake* and the *Blenheim*, because the Admiralty have thought it inadvisable to detract from their speed or offensive power by unduly increasing defensive armour. I have been asked why it is proposed to build cruisers of less speed than these. The reason is that we think it better to multiply cruisers of a rather inferior speed, because of the cost. The *Blake* and the *Blenheim*, with 20,000 horse power, attain 22 knots on the measured mile, while only 12,000 horse power is required to enable the other cruisers to attain 20 knots. Thus in order to obtain two additional knots per measured mile it would be necessary to increase the horse power by 8,000. With respect to armaments the Admiralty have really no option, as there are only two firms which have the plant necessary to provide the requisite armour plates. When we proposed to lay our shipping programme before Parliament we thought it desirable to

make arrangements by which we should secure the services of these two firms, and we made contracts with them, by which we are to obtain whatever armour plates are required for vessels built in the dockyards at the same price as that which was paid for the plates of the *Nile* and *Trafalgar*. Notwithstanding the rise in prices the Government will be able to secure the plates on moderate terms. I am in favour of competition if it is possible. But there are great difficulties, owing to the large capital which would be required and the impossibility of obtaining guarantees of quality, in securing this competition. It is unlikely that any new firm would engage in such a competition; and, in the second place, there would be no guarantee that the plates turned out would be as good as those of the two firms by which they are at present supplied. Subject to these two objections the Admiralty would be glad to consider any proposal that may be made from the outside.

MR. ISAACSON: The existing firms are charging prices which are little less than exorbitant, and the noble Lord has said nothing about establishing works of our own.

*LORD G. HAMILTON: I am not in favour of extending Government manufactories, and persons who have had the control of thousands of Government *employés* know how difficult it is to conduct such establishments. In some cases it may be desirable, and may, perhaps, be worth consideration whether the Government should set up a factory of their own; but it is not a question upon which I should like to express a hasty opinion. The hon. and gallant Member for East Sussex (Admiral Field) has suggested that the Assistant Constructors might be sent to sea, in order that they might obtain some personal knowledge of the sea-going quality of our ships. I quite agree that experience of this kind is most desirable, and Mr. White himself had fully intended last year to be present at the manœuvres, but was unfortunately prevented from doing so, in consequence of having to give evidence before the Committee on the Navy Estimates. I trust that he will be able to be present at the autumn manœuvres, so that he may observe the behaviour of the ships, and be brought in contact with naval officers. By this means he will be able to form an opinion as to the chief characteristics of a sea-going vessel; how it is likely to be affected as a war ship, and how it will be able to maintain its sea-way. The present practice of the Board of Admiralty is to endeavour to keep the authorities at the Admiralty in touch with the practical experience of the naval officers.

*MR. DUFF: I understand that sometimes when a ship was designed there was a difference of opinion between the naval architect and the Naval Department, and in such a case I think we should call in outside opinion. I have never presumed to say that the vessels to be built are designed on wrong lines; but I should be glad to have an assurance from the First Lord of the Admiralty that some outside opinion has been taken on that point, for when you have vessels of this great size, and involving so much outlay, it would be very desirable to have that opinion.

ADMIRAL FIELD: The point which I wish to press on the First Lord is that an Assistant Constructor to the Navy should go systematically to sea with the squadron, and be attached to the flagship. There are, I believe, several Assistant Constructors working with Mr. Froude at Portsmouth Dockyard; and if one of these young men in the Constructor's Department were to be sent to sea, I am sure the Service would derive much advantage from the adoption of that policy. I do not know whether I shall be in order, but I hope, Sir, you will be a little merciful with me, as I was not present when the last Vote—for coals—was discussed, and I wish to raise a point which I think may be fairly raised on this Vote, inasmuch as coals are necessary for propelling the machinery in the ships. One of the declarations made by the noble Lord was that great pressure had been brought to bear upon him by interested parties to use North Country coal for the Navy, and I am glad to understand that he has resisted that pressure.

THE CHAIRMAN: Order, order! I am afraid the hon. and gallant Member is out of order.

*ADMIRAL MAYNE: Before this Vote is passed I wish to express a hope that the First Lord of the Admiralty will give his attention to the weight of machinery

and the nature of boilers in the new ships. I believe that half our breakdowns occur from the actual foundation of the machinery of our ships not being sufficiently heavy, and insufficient boiler space, and the tubes being too numerous and small.

MR. SHAW LEFEVRE (Bradford, Central): I was not present in the early part of this discussion; but I desire to say a few words in support of what was said by my hon. Friend the Member for Banffshire, as to the expediency of the Admiralty taking advice from technical persons outside the Admiralty before commencing the construction of ships of a novel design. At the present moment we are about to commence the building of no less than eight vessels of the largest size that have ever been built in this country, and each of them will cost probably nearly a million pounds. In addition to that, we are to build two smaller vessels costing very nearly as much. In other words, ten vessels of enormous size are to be constructed at once, all involving a novel design. I do not think the present is a proper opportunity for raising again the question which we discussed at great length on the Naval Defence Bill. I accept in principle the decisions of the House and of the Government on the question; but there is one point in reference to it which I should like to allude to again, and that is the effect which this great effort of construction will have upon other countries. It so happens that in the course of the discussion on that Bill I ventured to point out that the great exertions which we are going to be called upon to make in reference to building these vessels would have the effect of stimulating other Powers to fresh expenditure in the same direction. During the last two or three days there has been a discussion in the French Chamber on this very point. Unfortunately we have not at present a full report of what took place there, because the French papers are somewhat behind in reporting the discussions of the Chamber, and we must therefore rely upon the telegrams which have been received. Now, I observe from one report that Vice-Admiral Dompierre d'Hornoy made an alarmist speech, and said that England was about to spend a sum of 23 millions on her Navy. That is, of course, an exaggeration, for the speaker evidently took into his calculation the ordinary Estimates for the year. He went on to say that Italy was spending two and a half millions, and Germany over six and a half millions, and he pointed out that the French expenditure was quite insufficient to enable them to meet the forces thus to be called into existence. The Minister of Marine in reply said that an increase of the French Naval Estimates would be necessary, in consequence of the steps recently taken by England, Germany, and Italy, in increasing their Navies. It therefore appears that our action has already stimulated France to further expenditure. Now, I wish to call the attention of the House to the effect this may have upon our shipbuilding policy, and on the design of the vessels that we are about to lay down. I cannot but think it may be wise on the part of the Government, in view of the increased expenditure promised by the French Government, to delay for a short time the commencement of some of the proposed new vessels, in order to see what the French will do. I am afraid we may commit ourselves to the commencement of a considerable number of vessels, costing an enormous sum, that our dockyards will be supplied with work for a long time to come, while a few months hence the French will lay down vessels of a more advanced type, thus causing another alarm on this side of the Channel, and creating a cry for ships of a newer design. Thus we shall go on stimulating one another in our respective shipbuilding policies. Let me repeat, we are now about to commence ten vessels of very great size—eight of them of 14,000 tons—and steaming, I think, at a rate of 17 knots an hour. I have on a previous occasion discussed at great length the policy of building vessels of this size, and I have expressed my opinion that it would be better to have more vessels of a moderate size. I believe it would be quite possible to construct vessels which, though of a smaller type, would be capable of steaming at a greater rate of speed. But I do not want to press this argument too far. I only want to suggest to the Government, in view of what is likely to be done by other Powers, and especially by France, whether it would not be

wise to stay our hands somewhat before committing ourselves to the commencement of such a large number of vessels of the same type, and of the largest possible size. Ought we not rather to frame our policy with a view to what may be done on the other side of the Channel, for if the French do lay down vessels of an advanced type, and possessing a higher rate of speed, we may be compelled to launch out in the same direction. I, therefore, hope the noble Lord will stay his hand with regard to some of the proposed new ships. I have no doubt that in a short time, in pursuance of the policy indicated by the French Minister of Marine, we shall see what the shipbuilding scheme of the French Government will be.

Question put.

MR. SHAW LEFEVRE: Before the Vote is taken, I hope the First Lord of the Admiralty will give some reply to what I have said.

*LORD GEORGE HAMILTON: I did not rise to answer the right hon. Gentleman because I understood his speech was more in the nature of advice, and moreover the remarks of the right hon. Gentleman deal with a point which does not arise upon this particular Vote, and which has previously been fully debated and affirmed by repeated majorities in the House. With regard to the Debate in the French Chamber, to which the right hon. Gentleman has referred, if the right hon. Gentleman looks at the telegram that he has quoted, he will find that the French Admiral is reported to have said that the French Navy should be equal to the Italian Navy and the German Navy; and, consequently, whatever addition may be proposed in the French Navy will not be proposed because the English Navy is increased, but because of the increase of the Italian or the German Navy.

MR. SHAW LEFEVRE: The passage I quoted had reference to the increase of the English Navy.

*LORD GEORGE HAMILTON: And then the right hon. Gentleman went on to point out the unwise policy of committing ourselves to building these ships until we know what the French are going to do. But what is the position of affairs? At the end of the present year we shall have only one ironclad in the last stage of completion, and the French have four or five. Therefore their hands are tied for some time to come, and if they chose to lay down a considerable number of new ironclads, either they must largely increase their establishment, which I do not believe they will do, or they must delay the completion of the vessels already laid down until they would become obsolete. I think that we may rest assured that the effect of our laying down a considerable number of ships of the same type will not be to have them rendered obsolete through anything that the French do this year or in the next few years. Not only next year, but for three or four years to come, the interval between the date of building our ships and putting them in commission will be much less than could be the case with the French; and if they attempt to emulate our example and to enlarge their shipbuilding programme, which is already too big for their financial resources, they will get that programme into a worse state than it has been in during the last few years.

MR. SHAW LEFEVRE: The speech which I quoted from the *Daily News*, and which was delivered in the French Chamber, as to the necessity of largely increasing the French naval expenditure, had reference to the increase in the English Navy, and not merely to the Italian and German Navies. The noble Lord has spoken of the French dockyards being heavily charged with shipbuilding work for some time to come; but the French might, if they chose, lay down an increased number of ships to be built by contract, and thus not interfere with the ordinary work of the dockyards. Immediately after we had committed ourselves to a programme which would take five or six years to complete, the French might initiate a large scheme for the reconstruction of their own Navy, and build vessels of an improved type as compared to our own. Remember that Naval designs now frequently change, almost from month to month. I have made my protest, and have pointed out that I believe the wiser course would be not to commit ourselves absolutely to commencing so many vessels at once.

Vote agreed to.

10. £1,463,500, Naval Armaments.

*Mr. DUFF: This Vote is presented o us in a somewhat incomplete form, and I have complained about it on a former occasion. We are not given any details with regard to the number or size of the guns which we either have or which are to be provided. We do not know whether they are 9-inch guns or whether they are Nordenfelts, and it is quite impossible for the House to have any control over the Ordnance Department of the Admiralty, unless we get more information than is to be found in these Estimates. I give the present First Lord of the Admiralty credit for having afforded us more information with regard to the ship-building programme than we have ever had before. Now, I know that there exists an Estimate which is prepared by the Director of Naval Ordnance, and I consider that the details of that Estimate ought to be contained in this Estimate. I hope the Admiralty will be able to give us some explanation why this Estimate is presented in so extremely incomplete a form. There is another point I wish to raise. The First Lord has spoken of the serious deficiency of ammunition, yet the Ordnance Vote shows a considerable reduction, and I think the House would like to know how the noble Lord reconciles this state of affairs with his statement. With regard to the number of guns, I should like to know how we stand. According to a statement made by the First Lord of the Admiralty on the 5th os August last year, we then required 81 guns of over 9-inch diameter. Eleven have, I believe, since been delivered, and that, therefore, leaves 70 guns still required to complete the old programme. According to my estimate, there are 70 guns required in the old programme. Then I make out that you require 24 guns for the re-arming of old vessels, and you want over 70 guns for your new programme. That makes 164 large guns required for the Navy within the next four years. According to the War Office Return, dated the 5th of April, you require 107 guns for the Army, so that your total requirements in the four years are 271 guns. What has been the delivery of guns hitherto? In 1887-8 we delivered 20 guns, and last year we delivered 22 guns of over 9-inch diameter, so that if you are to carry out your programme, instead of turning out 22 guns in the year you will have to turn out 68 guns. Unless the rate of delivery is very much accelerated, I do not see that there is much probability of having guns stored awaiting ironclads. I do not wish to go now into the reasons which have led to the delay. On a former occasion I went very fully into the subject; but I am bound to say I did not receive much support in the House so far as the Vote was concerned, although everyone in the House, except the representatives of the Admiralty and the War Office, spoke in favour of the Motion. I do not think we shall have the ordnance system carried out satisfactorily while it remains under the dual control of the Admiralty and the War Office. The reason given by the First Lord of the Admiralty for not ordering their own guns is that it would prevent interchangability between the Army and Navy. That certainly does not appear to me a very conclusive reason. If the Ordnance Committee make up their minds what the design of the guns shall be, I cannot see why they should get them at a certain establishment, why they should not get them where they can get them best, cheapest, and quickest. If, however, the Government persist in carrying out the present system, they must take the responsibility upon themselves. I really cannot understand how it can be an effective system so long as money is put on the Naval Votes and its expenditure left to the War Office. However, I will not pursue that point; but if the Admiralty are unable in the future, as in the past, to carry out their arrangements and fulfil their programme up to time, the question will again have to come before the House. As to contracts, I should like to point out that on a former occasion the Secretary of State for War told us that the contracts for guns were to be open. I do not for a moment mean to say that the right hon. Gentleman intended to mislead the House; but I assert that the contracts were not open in the sense in which I understand the term. What happened was this. Certain specifications were sent round to a few firms, who were thus given an opportunity of being put in the same position as Messrs. Vickers are now in. That is not my idea of open

competition. My belief is that if we were to advertise for guns we should have many firms competing. Under the present system a large amount of capital is being taken out of the country. I know a British firm which is setting up an establishment at Bilboa; under altered circumstances the firms would have continued their operations here. I should also like some information respecting shells. I believe that in the case of the bombardment of Alexandria not one-fifth of the shells burst; and I should therefore like to know what supervision naval men have over shells, and who is responsible? The construction of shells is of very considerable importance, especially now-a-days, when shells are so much more largely used than formerly. I do not think I need trouble the Committee with any further remarks; but I do trust that in future, when this Estimate is presented to the House, details will be given in such a form that Parliament may really have some control over the system.

CAPTAIN BETHELL: I wish to ask my noble Friend the First Lord of the Admiralty whether he has directed his attention to the question of the life of large guns? A short time ago I tried to persuade the Government to undertake some experiments with a view to ascertaining what is the life of one of the new large guns. The Secretary of the Admiralty of that day gave me to understand that there were certain difficulties in connection with the adoption of my proposal, and he was unable to see his way towards carrying out my suggestions. Now I think an opportunity might shortly be given for testing one of the large guns—a 67-ton or a 43-ton gun. I know there are certain difficulties in the way, and of course the testing cannot be done on the testing ground at Shoeburyness, but it might be done on one of Her Majesty's ships. It is very unsatisfactory that we should be making so many large guns without knowing what will be their condition under circumstances such as would be met with in actual warfare; what will be the result of the heat caused by frequent firing, and what the result of the scoriation of the bore?

*MR. E. STANHOPE: The hon. Gentleman opposite (Mr. Duff) suggested that we should adopt a system of open contract for heavy guns. I do not think he has really seriously considered the enormous difficulties surrounding this question. If you invite public tenders for the construction of the guns the only result will be that a number of firms will tender who will say they will do the work at a certain price if we will give them an order amounting to so many hundreds of thousands of pounds. It is utterly futile to expect that any firm will lay down highly expensive plant without being certain of a large order from the War Office. We are satisfied that we shall be able to get sufficient gun-producing power if we encourage Messrs. Vickers to set up new machinery, and encourage Elswick and Whitworth's to increase their machinery. The system of open contract is in this case utterly inapplicable in regard to the large guns, or I should be happy to adopt it. Then the hon. Member reverted to the old question of the Admiralty making their own contracts for guns separately from the War Office. I said nothing about that in the debate the other day, because I confess there is a great deal to be urged on both sides of the question. The inter-departmental Committee recommended that for the present there should be no change in the existing system, by which interchangeable stores are purchased by the War Office, but that the consent of the Admiralty should be given to the purchase by the War Office of warlike stores for the Navy. That was on the 18th of October, 1886.

*MR. DUFF: I referred to the Committee of November, 1886.

*MR. STANHOPE: I am aware of that, but it was an inter-departmental Committee which sat while the hon. Gentleman was in office and continued at work after he left office. No doubt some of the political Members of the Committee were changed, but the permanent officials remained the same. I do not say I myself very strongly hold the opinion expressed by the Committee, but I say it is impossible to blame the Government for acting on the Report of the inter-departmental Committee.

*MR. DUFF: The right hon. Gentleman has not quoted the final Report of the Committee, dated the 8th of November, 1886.

*MR. STANHOPE: The hon. Gentleman is giving us altogether the wrong date. [MR DUFF handed the

Report to Mr. Stanhope.] There is nothing in this Report that has to do with the question.

*MR. DUFF: You have not got the passage.

*MR. STANHOPE: The passage is marked.

*MR. DUFF: The right hon. Gentleman accuses me of misrepresenting a paper. I had the courtesy to give it him, and now he says he will have nothing to do with it.

*MR. STANHOPE: I am entitled to ask the hon. Gentleman to give me the quotation on which he relies.

*MR. DUFF: Certainly, I will give the quotation. The Report I quoted from is the last Report that is given. It recommends that the Admiralty shall annually furnish to the War Office notice of their probable requirements of warlike stores in order that the War Office may state the extent to which the requirements of the Navy can be met.

*MR. STANHOPE: I am justified in saying that there is not a single word in that Report which has reference to the subject we are discussing. On the 18th of October, 1886, the inter-departmental Committee which included General Alderson, Mr. Knox, Mr. Fisher, Admiral Hopkins, and Mr. Fitzgerald, recommended that the two Departments should continue as before. I pass from that to another point, which is much more important. The hon. Member has asked whether under the arrangements which has been made, we shall be able to overtake the requirements of the Navy, and to supply the number of guns required by the Navy as well as by the War Office. In my statement on the Army Estimates I said we hoped to receive 23 guns before the end of the first quarter of next year for land and sea service, 32 during the second quarter, and 26 during the third quarter, making altogether 81 guns of over 22 tons weight. That will be more than are required to meet the demands of the Navy. The hon. Member says the projectiles were found to be defective at the bombardment of Alexandria. No doubt that was so. The difficulty in getting satisfactory projectiles has been in connection with the fuses. I have no doubt that at present we have a fuse as good as any possessed by any country in Europe, and I have no doubt we shall be able to improve even upon that. Then my hon. and gallant Friend asks if experiments have been made as to the amount of erosion, and I may say that we have now had experience of guns from which a great many rounds have been fired, and are able to judge the effect. There is a certain amount of erosion we have to contend with, as is the case with foreign manufactured guns, but I hope, and I believe, that modern invention will tend to diminish the amount.

CAPTAIN BETHELL: I am anxious to know if any of the big guns have been tested by rapid firing, and which.

*MR. STANHOPE: I am afraid I am unable to give any such results. It is clear that experiments of the kind would be very expensive.

CAPTAIN BETHELL: And very useful.

*MR. STANHOPE: I should have considerable hesitation in undertaking such experiments without very good reason.

*ADMIRAL MAYNE: I merely wish to call attention to two points which I hope will receive the noble Lord's consideration. The first is the size of the guns now being constructed for the Navy. I hope the days of the 110-ton guns have passed, and that the days of the 67-ton guns are numbered. I trust that in the future in the armament of the biggest ships the largest guns carried will be such as can be worked by hand, as well as by hydraulic power. It is of the greatest importance to have guns that can be worked by manual labour, so that we may not be entirely at the mercy of machinery. The 43-ton gun, or at the most the 50-ton gun, ought to be the largest. The other point I desire to mention has relation to torpedoes. From experiments that have been made I am led to believe that the fears that were created some two or three years ago as to the effect of torpedoes are utterly groundless, and that it is a very overrated weapon. I am of opinion that ships that carry four or five torpedo tubes, carry two, if not three, too many. I hope both these points will have the attention of the Admiralty.

MR. GOURLEY (Sunderland): I agree with my hon. Friend that the system of a dual control in the supply of guns is the cause of much delay and inconvenience. Notwithstanding the

fact that the Departmental Committee recommended a continuance of the existing system, I long ago arrived at the conclusion that this dual control is the reason why there has been such delay in the supply of guns for our ships as they are built. I have no faith myself in Departmental Committees; as a rule they are always Conservative, always anxious to keep things as they are, and to avoid undertaking any kind of reform. I hope the time is not far distant when the House will insist on this dual control being abolished. The Secretary of State for War in answer to what had been stated as to forms of tender, said no new firm would tender for guns unless guaranteed a certain amount of work. But even so, it is better to subsidise new firms, and thus increase your supply, than to keep ships waiting in the dockyard year after year for the armament necessary to enable them to take their place in the ranks of fighting ships. I think the House ought to insist upon open tenders for the supply of guns. We have open tenders for ships, why should we not have the same for guns? It is all nonsense to say that private firms will not tender. I know one firm in the North of England that would tender if they had the slightest chance of obtaining a fair share of Government orders, and they are prepared to lay down the plant for gun manufacture. I am sure the Government are acting unwisely in not seeking to improve their supply by means of open tenders. We ought to have the guns for our ships, though we have to get them from Krupp. Foreign Governments never keep their ships in dock waiting for guns, but our Government seem to have an impression that ships can fight without guns. I do hope the Government will see the necessity of providing some better means of supplying our ships with guns than they have at present.

LORD GEORGE HAMILTON: One or two questions have been put to me, which I think the Committee will expect me to answer. The hon. Gentleman who opened this discussion complained of the lack of information given with the Estimates, but it must be remembered we prepare our Estimates at the end of January, when there are still two months of the financial year to run, and it is almost impossible to say how far the contractors will be able to fulfil what they have promised, and therefore impossible to give with absolute accuracy the number and proportion of the guns to be finished within the year. Moreover we have to make provision for a considerable variety of guns, no less than nine different guns from 4-inch upwards, and several quick-firing guns, and if we were to ear-mark and proportion the expenditure on each, we should find ourselves in the position that, though contractors for any one class of guns failed to deliver their guns within the year, still we should be unable to transfer the expenditure to other classes, the production of which might have been accelerated, and we should have to surrender considerable sums at the end of the year, or be constantly asking the Treasury to sanction the transfer of expenditure of small sums from one class of goods to another. The whole of this Vote comes under the supervision of the Auditor General, so I think the Committee may be satisfied with this guarantee that the Treasury regulations are complied with. At the same time I shall be glad to see whether next year, when we have made further progress in wiping off arrears and when it will be easier to classify our requirements, we can go somewhat in the direction the hon. Gentleman wishes, and some way to meet his demands. The hon. Member (Mr. Duff) quoting from what I am reported to have said last year, in which there appears to be some inaccuracy, asks as to our requirements in guns for our present programme. I do not remember the statement to which he refers, but I may say that we require for the present and future shipbuilding programme 137 guns of nine inches and upwards, including 68 of nine inches for new ships, and 22 for ships in hand, of which a certain number have passed proof, and the balance for reserve. The Secretary for War has made a statement as to the output of the gun factories, and we have to consider, in communication with the War Office, how far the demands of the Admiralty can be complied with. We have made a calculation, and so far as we can foresee the contractors ought to be able to deliver all the guns in the time they have undertaken. Alterations made in a considerable number of guns and the failure in liners have caused much delay

and trouble to the establishment. The hon. and gallant Member (Captain Bethell) wished to know if the strength and duration of the guns had been tested by rapid firing. To this I may say that we have, as the guns are used year by year, reports of the effects of firing and erosion, and we have had the 45-ton gun this year fired, I think it was, four times in something like 15 minutes, and remarkably good practice was made.

CAPTAIN BETHELL: My point is that by rapid firing we have never had the larger guns tested.

*LORD G. HAMILTON: I am not aware that guns have been so tested except in the manner I have mentioned, but I quite agree that we should devote our attention to increasing rapidity of fire. I believe more in rapidity of firing than in size and calibre. I hope that in the course of a few months we shall be able to perfect the 6-inch quick-firing guns, so that the firing shall be four times as quick as the ordinary 6-inch breech-loader, and to that extent ships armed with the new guns will be more powerful than those armed with the ordinary 6-inch breech-loaders. I agree with my hon. and gallant Friend the Member for Pembroke that, as far as possible, we should follow the principle of limiting the size of guns, so that if necessary they may be worked by manual labour. The 10-inch gun can be so worked. I also agree with my hon. and gallant Friend that undue importance has been attached to torpedoes, and since the development of quick-firing guns those who four or five years ago were prepared to arm ships with torpedoes only now find they were mistaken and that they greatly overvalued that projectile, valuable as it undoubtedly is for defensive purposes. Attention has been called to the fact that there is a reduction in this Vote, as compared with last year, but it must be recollected that a large sum of money is taken on this account in the ten millions outside the Estimates; and, adding this proportion to the sum in the Estimates it will be found that the amount is an increase on the sum taken last year by about £400,000. In my statement I alluded to the fact that there are still considerable deficiencies to make good so far as ammunition and projectiles are concerned. On foreign stations I am glad to say our outfit and reserves are practically complete. On home stations the outfit for all ships ready for commission is completed, and I hope that by the end of the present year we shall have a second outfit in reserve. That will still leave deficiencies to be made good in subsequent years, but if we keep the Ordnance Vote at its present level, we shall be able to meet normal requirements and to annually reduce existing deficiencies. That I think will be a more satisfactory way of replenishing our reserves than to embark at once on a wholesale expenditure upon material. My right hon. Friend the Secretary for War has done, and will do, his best to meet the requirements of the Navy, subordinating the wants of the Army to those of the Navy. We have a system of which neither of us are enamoured, but until some better system can be devised, it is our duty to work the existing system to the best of our ability. The suggestions of the hon. Gentleman who opened this discussion would not relieve us from our difficulties. In any change of system that may be made, there is one principle that must be enforced, and that is the interchangeability of patterns between the Army and Navy. With our numerous stations for which supplies are drawn for both services this is essential, but if we have two Departments competing with each other in the manufacture of ordnance it is certain that each Department would indulge some predilection for a particular class of gun or projectile which would operate against the principle of interchangeability. It is for this reason that neither I nor my right hon. Friend can hold out any hope of the adoption of the suggestion that each Department should be left free to make it own contracts.

MR. R. W. DUFF: I am glad to hear the promise of further information as to these Estimates in the future. Distinction should at least be made between guns of 9 inches and those under that size. As to the last remarks of the noble Lord I may say that I never for a moment suggested that the Admiralty should make designs for their guns independently of the War Office, but that an Ordnance Committee should design for both, and prevent any difficulty about interchangeability of stores.

As to what the right hon. Gentleman said upon open competition for guns, any firm will set up plant if they get a Government order for 20 guns; and having once set up their plant of course they would supply foreign orders as well. In France, where there is less demand for guns than in this country, there are eight or nine firms competing for Government orders, and I do not see why that should not be done here. I am almost afraid to refer to the Report of the Committee again after exciting the wrath of the Secretary for War as I did just now. For the moment I could not put my hand on the passage I referred to as supporting my contention that the Board of Admiralty, to which I had the honour to belong, always advocated that the Admiralty should make their own contracts for guns. If the noble Lord will turn to page 109 he will see that Major General Alderson recommends that the Admiralty should make their own contracts. The Committee distinctly say they adopt his view, and it was upon this recommendation I made my statement. There seems to be a misprint of a figure in *Hansard*, owing to which the difference between myself and the noble Lord as to the number of guns is 27. He said he required 137; I put it at 164. But he has told us that hitherto the delivery of guns has not exceeded 22 a year, but he says now when we have one more firm to deliver—Messrs. Vickers—that he expects 80 will be turned out in the year. I hope it may be so, and I have no doubt a careful estimate has been made, but it is within my experience that hopes of this kind have been frequently disappointed. I remember that the *Collingwood* guns promised in six months were not delivered for two years. I think we ought to have some better assurance that faith will be kept, and I think we may well doubt whether the 80 heavy guns will be turned out as promised. It is not surprising that the country should look with suspicion on statements made by the Secretary of State for War, when we know that on no single occasion have the War Office succeeded in producing half the number of guns promised. Forty-five guns were to be delivered in the course of the financial year, but when I turn to the printed statement I find that only 22 guns of 94-inch diameter have been delivered. I think, therefore, that the House ought to receive with some caution the very sanguine view of the Secretary for War.

*MR. STANHOPE: I do not think I have ever taken a sanguine view, and I have been very careful indeed to guard my remarks by pointing out that promises with regard to the production of guns have not been fulfilled, and that probably they will not be fulfilled again. But we have taken the best means at our disposal to promote the production of guns by a complete extinction of the whole circumstances of the case. Our Estimates are now based on a completed plan. It is quite true that the number of guns passed into the Service last year was 22 instead of 45, and the cause of that failure was that a large number of the guns had to be sent back in consequence of the failure of the linings. During the present year the ordnance factories have increased their plant—including Elswick, Whitworth's, and Vickers. In all these cases the supply will be increased. It is quite true that it is desirable we should have a great number of sources of supply. But the House will recollect that these firms have put down plant on the Government giving an undertaking that so long as they could turn out a good article at a fair price they should have Government orders. The guns have been distributed according to the best of our information, and we have good reason to expect that they will be delivered in ample time for the Service.

*SIR W. PLOWDEN (Wolverhampton, W.): I understand the big guns are now to be used without liners. I rose, however, to call attention to the First Lord's remarks regarding ammunition reserves. He has stated that our outfits in our Foreign Stations have been brought up to standard. But not so at home. At home he proposes the very dangerous doctrine of completing our outfits by a course of action which will cause them to stand over for several years. Surely that is not a position in which the ammunition reserves ought to stand. I should be glad if he is able to put another colouring on his statement, and tell us that he is prepared to put his ammunition reserves into that position in which they ought to be at once. Such reserves as are absolutely necessary ought to be ready for use at the present time.

*Lord G. HAMILTON: In regard to the subject of the reserve of ammunition, the hon. Gentleman will see that there is a great difference between the various classes required. The 110-ton guns need a powerful projectile, which cannot be manufactured under some months. Therefore, when I looked into this question I had to take into consideration the time which would be occupied in producing the different projectiles. We have three or four guns of very large calibre, and it is necessary that there should be a considerable reserve of ammunition. Each year the producing powers of the country are increasing for the manufacture of the smaller class of ammunition; and it does not appear to be wise to accumulate a large mass of *materiel* which would deteriorate in store, seeing that we can depend upon an adequate supply in any possible emergency. I have, therefore, determined to limit the demand for ammunition reserve to the larger projectiles, which can only be produced slowly, and to encourage the manufacturers to increase their plant, so that not only in time of peace there should be greater competition as regards production, but in time of war there should be larger sources of supply. That is the practical principle I have gone on, and it is one which I know the hon. Gentleman will approve of.

Vote agreed to.

11. £128,800, Miscellaneous Effective Services..

*Admiral FIELD: I wish to ask the First Lord of the Admiralty whether he will consider the pressing necessity of bringing the coastguard stations at various prominent points into telegraphic communication with the Admiralty? I see there is a decrease of £2,000, and, if anything, that would make one fear that the matter is rather slackening in their hands.

Mr. SHAW LEFEVRE: What has become of Vote 10?

*Admiral FIELD: It is passed.

Mr. SHAW LEFEVRE: I certainly desired to say something on Vote 10, and I have had no opportunity of doing so. No notice was given that the Vote was to be taken, and I think some explanation should be given.

*Lord G. HAMILTON: The explanation is simply this—there are a certain number of public works which are urgent, and new works. The Treasury gave a provisional assent to their commencement on the understanding that the Vote should be the first Vote taken, in order that the House might be afforded an opportunity to discuss it. Of course, it is much better that the Votes should be taken in the order in which they are printed. With regard to the question of my hon. Friend, I have to point out that this item merely relates to telegraph messages. If he looks a little lower down in the Votes he will see there is a sum of £3,190 for the works to which he alludes.

*Mr. CAMPBELL BANNERMAN (Stirling, &c.): I think we have a right to complain that Vote 10 was taken without any notice whatever. When a Vote is to be taken out of its order the usual practice is to state it distinctly on the Notice Paper. That is very commonly done, and I think the noble Lord is somewhat to blame in not having given notice of the fact. I can easily understand that it was desirable to take the Vote out of its order; but I think we are entitled to protest against the proceeding, and to hope that it will not form anything like a precedent in the future.

*Lord G. HAMILTON: The right hon. Gentleman has stated the practice correctly.

Mr. SHAW LEFEVRE: I hope the noble Lord will at any rate give the House an opportunity of criticizing that Vote.

Mr. GOURLEY: In regard to one of the matters connected with the item of £10,000 in this Vote, I understand the noble Lord to say that the officers of Her Majesty's ships are not in the habit of employing pilots in home waters, and I should like to know how much of the £10,000 applies to pilotage charges?

*Lord G. HAMILTON: I am afraid I cannot give the hon. Member the explanation he asks for off-hand.

Mr. BUCHANAN (Edinburgh): I should like to call attention to Item D for the hire of ships in connection with the blockade of Zanzibar. We were informed both by the First Lord of the Admiralty and other Members of the Government that whatever might happen in regard to that blockade it would not cost us any extra money, and we were also told that the ostensible object of the

blockade was the suppression of the Slave Trade. I think we are now entitled to obtain from the First Lord some information as to the necessity for hiring ships in connection with that blockade.

*LORD G. HAMILTON: There is a charge of £2,300 for the hire of vessels in connection with the blockade of Zanzibar, and it arose in this way; the blockade extended along the coast, and it was found more convenient to hire vessels than to employ Her Majesty's ships for the work of keeping up communication between the Admiral and the various ships of the blockading squadron, which were at a distance from each other.

*MR. BRADLAUGH: The noble Lord has not said from whom the vessels were hired.

MR. HANBURY: I would point out to the Committee that this sum of £10,000 contains a number of charges which are lumped together without any proper sub-division, such as miscellaneous payments for carriage and the maintenance of Royal personages, the travelling expenses of naval officers, and so forth. The Vote is one on which we should have more explanation than is given; and I, for one, object to matters like these being lumped together into one great mass like this. We have a right to ask for a few more sub-heads as to a class of expenses into which the House ought to look, and I trust that in future we shall find that the necessary information is given.

MR. FORWOOD: If the hon. Gentleman will turn to page 264 of the Estimates he will see that details are given of the miscellaneous expenses for the year 1887-88, which we have made the basis for the present Estimate. The items are there given as to travelling expenses under sub-heads.

MR. HANBURY: But that applies equally to all other Votes on other subjects. What I suggest is, that these items should be put down definitely, as it makes all the difference as to what we are to expend in the future.

MR. FORWOOD: It is an incidental expenditure that we cannot estimate with any exactitude, and we are therefore obliged to put down a general item to provide for expenses which we are unable to state in definite sums.

MR. GOURLEY: There is one item which I think the Secretary to the Admiralty might explain, and that is the charge in connection with the launching of Her Majesty's ships.

MR. FORWOOD: The charge is one which does not involve any question of food or drink; it is merely for the erection of platforms, in order that those connected with the dockyards and engaged in the work of constructing the vessels that have been launched might have the opportunity of witnessing the launching ceremonials. The expense would be comparatively small.

Vote agreed to.

12. £57,900, Scientific Services.

*MR. CAMPBELL-BANNERMAN: I should like to call attention to an item relating to the expense in connection with the photographic mapping of the heavens. It forms a new sub-head, which, with some humour, considering the subject it deals with, is placed under the letters D D. I have always had some doubt whether the maintenance of Greenwich Hospital or the Hospital at the Cape ought to be charged in the Navy Estimates at all; and as this item to which I have referred is a new one, I should be glad to hear some explanation of it from the noble Lord.

MR. BUCHANAN: I also wish to ask a question about another item in this Vote, in regard to the Hydrographical Department in the survey work of the Admiralty. Two incidents that have occurred lately may be said to have some connection with the Survey Department, and show that, although it may not be the fault of those in charge of the Department, as it may not have a sufficient number of ships at its command, there is some need of a closer system of survey. There has recently been the loss of H.M.S. *Sultan* in the Comino Channel; and it is a singular fact that there has been no re-survey of the waters near Malta since about 1850. We have also heard of the alleged discovery on the South East Coast of Africa of a better navigable channel of the River Zambesi, and it has been urged upon the Admiralty that they should despatch a surveying vessel for the purpose of ascertaining whether such a navigable mouth of the Zambesi exists. The First Lord of the Admiralty has stated that there is no vessel at present available for the purpose, but that there is a ship at the

Cape undergoing refitting by means of which in a few months it may be possible to send to the point indicated in order to see whether there really is a better navigable mouth of the Zambesi. I do not think the Survey Department ought to be in such a condition that we cannot overtake such an emergency as this, nor do I think the Service can be effective if so important a station as that of Malta has not had a neighbouring channel resurveyed for a period of 30 or 35 years, especially when we have to consider the fact, or the alleged fact, that on certain other maps—not those of our own Admiralty—the reef on which the *Sultan* struck is laid down. There is another point I would mention in connection with this Vote. It is only a small matter, but it is one that I have brought before successive Lords of the Admiralty, and I think what I have suggested might be carried out without adding a single penny to the expense of the Department. We have for years been surveying the coasts of the British Islands, and especially the coast of Scotland, and what I have ventured on previous occasions to urge on the Admiralty is that the opportunity should be taken of the presence of a surveying vessel on the Western coasts of England and Scotland to do what is done by every other European country, and make a bathymetrical survey of the lakes of these countries. About 40 years ago the Admiralty did undertake the survey of two of our lakes—Loch Lomond and Loch Awe—and I put it to the Admiralty whether they might not permit the use of boats engaged in the coast survey to undertake the work of sounding the larger lakes of England, Scotland, and Ireland. The matter is one which has excited a good deal of interest in scientific circles both in England and Scotland, and I hope the noble Lord at the head of the Admiralty will take it into his consideration.

CAPTAIN BETHELL: Enormous time is required to carry out these surveys, and until recently that of the Mediterranean has been going on for a considerable number of years. As to a survey of the mouth of the Zambesi, though, no doubt, it would be very valuable, I scarcely believe it to be so urgent as to necessitate special haste and a special commission to carry it out.

MR. HANBURY: I should like to know how far the Hydrographical Department are to blame in this matter. If it is a question of the cost of a complete survey of the Mediterranean, there are large excuses to be made, no doubt; but I should like to know how it is that this rock upon which the *Sultan* struck is not marked on the map. I am informed that there is in the British Museum a map, prepared some years ago by Colonel Wilkinson, upon which this rock is marked. I think we should know how it is that, though marked on this old map, it is not marked on the more recent maps issued from the Hydrographer's Department. It looks like a case of gross negligence.

*ADMIRAL MAYNE: There does not seem to be much knowledge amongst hon. Members as to what is required for making a marine survey of a coast. To make a survey of the kind suggested so as to find out every rock within two cables' length of the shore of the Mediterranean, the distance at which the *Sultan* was steaming when she struck, would mean carrying out a survey on a very large scale. People are apt to forget when looking, say, at the figure 10 s on an ordinary chart, it covers, perhaps, a quarter of a mile of ground. Two lines of soundings were taken on either side of the rocky ledge where the *Sultan* struck, but there was no indication of uneven bottom. If there had been, of course there would have been a careful examination of the spot. In all ordinary surveys, if you find no indication of a rock or an irregularity in the bottom, you are content with lines of soundings such as were taken in this instance. I do not believe the officers who made the survey were to blame. It was carried out under Captain Spratt and other able officers, who devoted years to the work, and I believe the survey was as complete as it could be. As to the general question of extending the surveys, it is one for the House to decide. I do not suppose that the First Lord of the Admiralty would object to increasing the Vote for the Hydrographer's Department, and to have more men on the work of surveying if it is considered necessary. As to the survey of the mouth of the Zambesi, if the East Coast of Africa has a claim for work of this kind, I would put in a claim for the survey of the coast of

Borneo. The fact is that the necessities of the great trade routes have been of paramount importance heretofore. I am sure that the Hydrographer is most anxious to do all that is possible with the small though very efficient staff at his disposal.

*LORD G. HAMILTON: I am glad the hon. and gallant Gentleman who has just sat down has said a word for the Hydrographer's Department. Hon. Gentlemen, I am afraid, do not understand the magnitude of this surveying work. No other nation, so far as I am aware, does more than survey its own coasts, but our hydrographers survey the seas of the world. In the present instance, it must be recollected that the place at which the *Sultan* went aground was not the channel ordinarily used, and I am not aware that there is a chart anywhere in existence with the rock marked upon it. It is said that there is one at Malta, but I have ascertained that the statement is inaccurate. Where the hon. Member for Preston obtained his information I do not know.

MR. HANBURY: At the British Museum.

*LORD G. HAMILTON: I cannot imagine how there can be other charts in existence besides those in the Hydrographer's Department. The Department now costs £100,000 a year. If the hydrographers had to make a microscopical survey, they could only do it in a very limited area; but the practice is to make a minute survey of entrances to harbours and trade routes, and to make a general survey of the rest of the coast and ocean. If it is thought desirable to have an extended survey I shall not object, but it must be understood that the cost will be great, and that neither the extra money nor men required can be taken from the existing supplies. Whatever observations can be made as to the stranding of the *Sultan*, nothing can be laid to the blame of the hydrographers. These officers discharge a very onerous duty, and the gentleman in charge of the Department is certainly overworked. As to the lakes referred to by the hon. Member for Edinburgh, the question is one for the Land Survey Department; and as to the item for photographing the heavens, it was decided at a meeting of scientists not long ago that these photographs should be taken and that the heavens should be mapped. Certain nations undertook to bear the expense. The Chancellor of the Exchequer was bombarded on all sides with requests that he should provide funds for the work. Ultimately he consented, and as the Admiralty was the only Department which could undertake the work the Vote—which is an exceptional one—finds a place in the Navy Estimates.

MR. GOURLEY: Does this Vote complete the survey?

*LORD G. HAMILTON: I am not certain of that. There may have to be a charge made next year, but I will look into the matter before the Report of the Vote comes on.

*MR. CAMPBELL-BANNERMAN: I think it is much to be regretted that the Navy Estimates have to bear the charge for these scientific researches, which are of little direct benefit to the Navy. If it was necessary to undertake this survey of the heavens, I think the expense should have been charged to one of the Civil Service Votes rather than to Navy Votes. As to the Hydrographer's Department, we on this side re-echo what the noble Lord has said with regard to its efficiency. I would bear testimony from my own experience to the efficiency of the Hydrographer's Department, and the useful work which it has performed in the past under the different distinguished men who have presided over it, to whom the present head of the Department is in no way inferior. But the point is how it comes about that this rock is not marked on the Hydrographer's map. Is it the fact that there exists a map in the British Museum, on which this rock is marked? The hon. Member for Preston says that map was made by a Colonel Wilkinson, and that appears to point to the fact that it is a War Office map. If so, this affords a further instance of the want of communication between the War Office and the Admiralty—information as to this rock being in the possession of the War Office, while the Hydrographer's Department under the Admiralty is left unacquainted with the fact.

CAPTAIN BETHELL: The point raised by the right hon. Gentleman is, no doubt, one of great interest. My impression is, that if there has been a survey made of the shore upon which

the *Sultan* struck other than that which is to be found in the Hydrographer's Department, and one made by a military officer, it must have been by a military officer attached to the ordinary survey. However, I should like the noble Lord the First Lord of the Admiralty to clear up the point. I strongly suspect that the rock marked in the chart referred to by the hon. Member for Preston is not the rock upon which the *Sultan* struck.

MR. BUCHANAN: With regard to the statement of the noble Lord, that the survey of the lakes is a matter for the Land Survey, I would point out that the only survey which has hitherto taken place has been carried out by the Admiralty. If a survey of the kind I suggest is undertaken, it would, I think, be well to have it performed by the Admiralty. As to the Hydrographer's Department, nothing was further from my mind than to cast blame in that quarter; but I do not think that a re-survey, such as would discover a rock like that upon which the *Sultan* struck, would entail the re-survey of the whole of the Mediterranean. I believe it is the fact that our own coasts have been re-surveyed; and I think that looking at the fact that Malta is a British possession it is not too much to ask that the shores in the neighbourhood of the island should be re-surveyed. They should, it seems to me, come under the description of "home coasts," and should be more frequently surveyed than other parts of the Mediterranean. If any nation should be responsible for the survey of the Mediterranean, considering the important military stations we have there, I think it is this country.

*ADMIRAL MAYNE: I do not think that the fact of the discovery of this rock in the Mediterranean is an argument for a re-survey of the whole of that sea. The passage in which the *Sultan* struck was only a small channel very little used, and there was no reason to suppose that the old survey was not sufficient. The Mediterranean not being a tidal sea, the same necessity for constant re-surveying does not arise.

*LORD G. HAMILTON: The rock in question is 300 yards west of the spot marked on the chart. It may be that the reef which is given on the ordinary chart is the spot marked on the map to which the hon. Member for Preston refers.

MR. HANBURY: I am told that the mark is on the exact spot where the *Sultan* struck.

*LORD G. HAMILTON: I will make inquiries into the matter.

Vote agreed to.

13. £217,400, Admiralty Office.

*MR. SHAW LEFEVRE: I desire to raise a question on this Vote of some importance, mainly with regard to the instructions given to officers in command at the Naval Manœuvres last year. In the course of last autumn the country was partly amused and partly shocked by the reports which appeared in the newspapers with regard to attacks upon unprotected towns and forts in this country by vessels belonging to the squadron engaged in the manœuvres. I certainly was in hopes, and confidently believed, it would turn out that these performances were the irresponsible frolics of the officers engaged; and I did not think that they were encouraged and authorized by the Admiralty. I find, however, that in the instructions given by the Admiralty, the commanding officers were directed especially with reference to the expediency of making raids upon the enemy's coasts and unprotected towns for the purpose of levying contributions. Accounts of what took place were given as though they were serious performances. These Reports were made public by the Admiralty, and as far as I can discover, no adverse comments have been made upon them by the First Lord of the Admiralty. It therefore went out to the world that the present Board of Admiralty approves of the manœuvres and the transactions accompanying them. I will briefly describe what occurred. The Rear-Admiral in command of one of the squadrons engaged in the manœuvres—escaped from the enemy with four vessels—two ironclads, and two cruisers. They were first heard of after their escape on the east coast of England and Scotland. They visited Aberdeen, and within half an hour they are supposed to have destroyed all the shipping in that town and to have requisitioned the town for the sum of £400,000. They then made their appearance in the Firth of Forth and

are supposed to have requisitioned Edinburgh—though how they could have done that in actual warfare I cannot make out, considering the distance of Edinburgh from the sea. The vessels then separated. The *Iris* made its appearance off Leith and destroyed the shipping there. The *Rodney* appeared off Shields, and in a short space of time is supposed to have destroyed all the shipping in the Tyne and requisitioned Shields for half a million and Newcastle for a million. The *Rodney* then went off Sunderland, and is supposed to have destroyed all the shipping there in half an hour. In the meantime the *Severn* had made her appearance off Hartlepool, and had requisitioned the town for £500,000, and destroyed all the shipping in an hour and 25 minutes, had then proceeded to Scarborough and levied a contribution of £500,000, and was supposed, between Hartlepool and Scarborough, to have destroyed a fleet of fishing boats without even removing their crews—an action altogether without warrant in the practice of civilized countries. The *Warspite* is supposed to have appeared off Grimsby, to have requisitioned the town for £500,000, and entering the Humber is supposed to have destroyed 45 steamers and 53 sailing vessels. At the same time, vessels visited other parts of the coasts and opened their fire upon unprotected towns, such as Oban and Greenock. This seems to me somewhat of a burlesque, and I am surprised that the First Lord of the Admiralty did not give instructions that such proceedings should be stopped. So far as I can ascertain they are without any warrant in the practice of civilized countries. It has not been the practice for a hundred years for a civilized Power to make raids upon unprotected towns on the sea coast and to demand ransoms. There cannot be produced any case among civilized Powers where this course has been followed. The most recent case which I can find of similar action on the part of a civilized Power is that which occurred in 1741 under Lord Anson in Chili. Lord Anson, at that time, when the ransom was not given, fired into the town, and the naval historian of the time, Mr. Young, speaking of the occurrence described it as worthy of the most lawless pirate. This case I have mentioned occurred at Chili. From that time forth I cannot find that it has been the practice among civilized Powers to take advantage of unprotected towns when ransoms are refused. In all the European wars of the present century I cannot find any case of that kind. I venture to say, therefore, that the universal usage among civilized Powers in naval war is not to fire into unprotected towns after demanding ransoms from them. I think the only case in that direction was the bombardment of Odessa, and there the Admiral gave instructions not to fire in the direction of the commercial port, but only upon the forts that protected the town. Apart from reasons of humanity, there are two great reasons why the course of firing into unprotected towns is not taken. One is, that it would not, on the whole, pay, and the other is that it would lead to reprisals. Such is the cost of projectiles in these days that it would be hardly worth the while of a Naval Power to expend the powder and shot necessary to destroy an undefended town. After all, these usages depend very much upon what opponents are likely to do. If French vessels in time of war fired into any of our unprotected towns, it would be very possible for our vessels to make reprisals upon such places as Dieppe, Nice, and others. At all events, whatever the case may be, it is undoubtedly the fact that for the last 100 years the usage of civilized Powers has not been in the direction which I speak of. On the contrary, the practice of vessels of war has been to avoid firing into unprotected towns in the manner intended by the Autumn Manœuvres of last year. I venture to hope, therefore, that the noble Lord in the Autumn Manœuvres of this year will avoid giving instructions of the kind that were given last year to the officers in command. I think it would not be wise on the part of this country that we should give a sort of *quasi* sanction to practices such as I have alluded to. My confident belief is that in time of war our officers would not be permitted to act in this manner; and it is unwise in time of peace that in the manœuvres that are to take place that even a simulated practice of this kind should be allowed to grow up in the manner which I have indicated. I venture to hope that the noble Lord will not repeat his instruc-

tions, and that we shall not have a repetition of intended raids upon unprotected towns in the manner they were carried out last year. I do not think these proceedings redounded to the credit of the Service, and I feel confident that they would not be carried out in time of war. Therefore, it would be wise on the part of our Government to give no sanction whatever to a course which might afterwards be taken as a sanction on our part to a practice of this kind.

*LORD G. HAMILTON: I was not aware that the right hon. Gentleman was going to raise this question.

*MR. SHAW LEFEVRE: I gave notice of it.

*LORD G. HAMILTON: I have not the papers relating to the question which he has raised. But, at the same time, he cannot have read with very much intelligence the Report of the manœuvres. He has attached enormous importance to one feature of them, and has altogether failed to appreciate the lessons which those manœuvres taught. I am not aware that any one of Her Majesty's ships would attempt to bombard defenceless towns. The right hon. Gentleman's supposition seems to me to be based on a mistaken idea of what the usages are in time of war. Is the right hon. Gentleman going to pretend that in time of war a great Naval Power would spare our ships—that our merchant vessels would have immunity from capture or destruction? Let us see what were the objects of the instructions of Sir George Tryon, whose squadron was supposed to represent the hostile Navy, stationed on the north and south of Ireland. A fleet was supposed to be defending the shores and commerce of this country. Sir George Tryon gave orders that certain vessels were to rendezvous on the north of Ireland, and the instructions were that they were then to go round our coast and create as much commotion as they could in harrying it. His deliberate purpose was to distract the attention of the Admiral who was defending the English shores. He succeeded. The result was that at a critical moment Admiral Baird felt it necessary to go round to the Downs to protect the coast, and then Sir George Tryon achieved his object, and Liverpool was left undefended and was taken. The right hon. Gentleman has not apparently read the Report of the three Admirals, and the Report upon the proceedings of the Admirals employed in those manœuvres, for none of these vessels bombarded defenceless towns—not one of them. The right hon. Gentleman objects to these vessels requisitioning defenceless towns. If it is to be held that an army is to have that power and the Navy not, it is certainly putting us at a very great disadvantage compared with other powers. Generally speaking, it is not desirable that unprotected towns should be attacked; but it will be admitted that even in this country there are certain establishments which in time of war would be destroyed. Take Greenock, for instance, with its shipbuilding yards, large marine foundries and engineering factories, all of which would be of great assistance to our Navy in time of war. Would it not be rather hazardous to assume that it would be left free from molestation and requisition by the enemy? Such an assumption would be very unwise. The Report of the Admirals last year seems to me sufficiently to indicate what is legitimate and what is illegitimate. On the one hand, while we must be careful not to do anything implying our sanction to a departure from the usages of civilized nations, it would be, on the other hand, dangerous to pursue a course in naval warfare in which we should assume that all unprotected towns and commerce would be unmolested by an enemy. Such a view, I think, the right hon. Gentleman himself would be the last to advance.

*MR. CAMPBELL-BANNERMAN: The observations of the noble Lord display a spirit of concession to our view which I hardly expected, and, therefore, I am thankful for what the House has just listened to. The noble Lord has, at all events, no sympathy with those raids which have been made on small watering places and coast towns in the north of England and Scotland, under pretence of simulating naval warfare. My right hon. Friend near me has made no attack on the Autumn Manœuvres; he has not said a word in depreciation of their value, nor has he wished to damage the importance of the lesson they have taught. What he did say—and in this I entirely agree with him—was that the proceedings at those manœuvres were most mischievous and misleading, in so far as they lead to a

popular belief that to go round the coast attacking absolutely peaceable and defenceless towns is a proper employment for a naval force. Such action can only be intended by those who take part in it to create a scare in the country; and I submit that it is no part of the duty of our naval officers, either during autumn manœuvres or at any other time, to influence the public feeling of the country, in the discharge of their duties, in such a way as to give an exaggerated view of the real position of these matters. Then my right hon. Friend dwelt strongly on this point—that the fact of our naval officers proceeding in this way with the sanction of the Admiralty established a precedent which might be followed by other nations, who, if they took such a course, might say to us, "Why you, in your naval manœuvres of 1888, showed that what we are doing was what you expected would be done." Again, I think there is a considerable amount of fallacy in the word "requisition" as it has been used, and I would call the attention of the First Lord to what seems to be the vital distinction between land and naval warfare in this respect. With regard to land warfare, what happens is this. An army in an enemy's country has to get its supplies from the districts through which it advances, and therefore uses its power of requisitioning what it requires, giving a receipt for all it so obtains, which is settled for at the end of the hostilities. But ships of war carry their own supplies, and are not dependent on the enemy's coast towns; and, therefore, if such a thing as the bombardment of such places as Campbelltown, Rothesay, Oban, or Scarborough should ever take place, it would be simply in order to punish those places because they belonged to the enemy's country; or ransom would be exacted under threat of bombardment for the purpose of striking terror into the minds of the population. I know it is said by high philosophical authorities that the object of war is to make it as mischievous as possible for the enemy, and that the more distressing the circumstances the better will be the result. I do not agree with this theory; but, at any rate, we have departed from it. According to this view, when the Prussian Army invaded France they ought to have seized every peasant they found on the roadside, taken from him the few sous he had in his pocket, and strung him up to the nearest tree. That would have been the way to strike terror into the hearts of the French people. But the Prussians did nothing of the sort. The fortified towns were attacked or besieged and dealt with in a military manner, and open towns were requisitioned for supplies. A fine may indeed have been imposed in cases where some reluctance was shown in furnishing the supplies demanded; but no such proceedings were taken as were the case during last year's autumn manœuvres at Campbelltown at the mouth of the Clyde, when, without any pretence of supplies being required, landing parties were sent out to arrest the Provost, or to capture the Post Office. The noble Lord has spoken of attacking our commercial seaports, dockyards, and shipbuilding yards, and I quite agree that they would be a fair object of hostile action on the part of an enemy who might wish to strike at the commerce of a country like this, which depends so much on its commercial relations with the rest of the world; but this is altogether a different thing from that of which I complain, and would affect only a few places on the sea coasts of this country. But if I wished to give an illustration of the state of mind aroused by the late manœuvres I would point to my hon. Friend the Member for Kirkcaldy (Sir G. Campbell), who is continually asking what steps are to be taken to protect Kirkcaldy from the attacks of an enemy's fleet. Of course, no enemy's fleet under heaven would go anywhere near Kirkcaldy; and even if one should, perhaps my hon. Friend would be there to strike terror into the enemy's breast; but the serious part of the matter is the effect that the autumn manœuvres seem to have produced in the mind of men like my hon. Friend, who actually expect the Government to take special measures for protecting individual places circumstanced like the town of Kirkcaldy. This illustration is, I think, enough to show what ridiculous lessons are taught by the proceedings I have referred to. I have very little more to say. We have fortunately drawn from the noble Lord the expression of his opinion that the exaction of ransom from places like Scarborough and Aberdeen, under threat of

bombardment, was not a representation of anything that is to be anticipated in time of war. For my part I have no desire in any way to weaken or limit our power at sea; but I have thought it only right to protest against the idea that we should use our naval power, or expect that other nations should employ their forces, in such a manner as was indicated by the autumn manœuvres.

SIR W. LAWSON (Cockermouth): I cannot but regard this discussion as what may be termed a sham debate about a sham fight; and I would point the attention of the Committee to the fact that there are somewhere about twenty Christians sitting in this House at the close of the nineteenth century actually discussing whether it is a proper thing to bombard defenceless towns. Such a fact surely is instructive in itself. I quite agree with my right hon. Friend who has just spoken that the manœuvres were carried on last year, and will be repeated this year, as a scare; though I do not think there is any necessity for the Government to scare the people of this country; they are quite ready enough to be scared without the help of the Admiralty Authorities. There is one point which I think has not been touched on in this debate. I remember seeing a report of a speech by one of the Naval Lords of the Admiralty—I do not recollect which—pointing out that these manœuvres were spoken of as showing the defenceless state of the country; whereas the real effect was forgotten—namely, that the defending fleet belonged to us as well as that which did the work of attack, and that in the event of war both of those fleets would be on our side. I think that this is sufficient to show the absurdity of drawing conclusions from such premisses. I hope my hon. Friend will not divide the Committee on this question. For my part, I think that the more we encourage the Government to continue these manœuvres the more discredit will be brought on our military and naval system.

*ADMIRAL FIELD: I hold in my hand a book entitled "The Corsairs of France," and I intend to read an extract from it. The right hon. Gentleman who initiated this debate said there was no record of an open town being bombarded. But here is a case, for according to this book, on the 28th of September, 1794, a French squadron approached the town of Sierra Leone under the English flag, brought up in a position to command every street in it, then hoisted its own colours, and commenced a heavy cannonade; and even after the inhabitants had struck their flag, two frigates, regardless of the submission, continued firing for two hours, and raked the streets with grape shot. They then landed men who plundered what houses were left standing; they set fire to the church and to the company's warehouse, as well as to the houses of English inhabitants. They remained off the town till the 23rd of October, when, having filled their vessels with plunder, they set sail. Again, I have here an instance of the capture of Carrickfergus on the coast of Ireland after threats of bombardment, and also of the enemy having forced their way up the Clyde, and made requisitions on Scotchmen. I think the right hon. Gentleman would find the account of these raids instructive reading. The right hon. Gentleman was the first last autumn, when the manœuvres were going on, to pride himself on ridiculing what naval men were doing under instructions. I think, instead of having ridicule thrown on them for the manner in which they carried out the manœuvres, they deserve praise. The Admiralty did right in issuing the instructions they gave in regard to the manœuvres, in order that the people of this country might be roused from the sleepy condition into which they had fallen, and might see what they had to expect if we should be again involved in a naval war. History shows that open towns on our coasts are liable to be raided upon and plundered in time of war; and it is well that the danger to which we might be exposed should be brought home to the mind of the country. I therefore trust that the First Lord of the Admiralty will not be deterred from issuing instructions which will convince the nation how necessary it is that they should have a strong naval force; and I hope that he will issue those instructions in spite of the taunts of right hon. Gentlemen opposite.

MR. E. ROBERTSON: I think the discussion which has taken place has been perfectly justified by the important

declaration which has been drawn from the noble Lord, who said he did not approve of the bombardment of defenceless towns, and, so far as he could speak for the Government, they would do nothing in these Autumn Manœuvres which would depart in any way from the established usage of civilized nations. But before the Vote is taken, I wish to put a question to the noble Lord, if I am in order in so doing, as to the inquiry which has been going on into the loss of the Sultan. This was a special inquiry set on foot by the Admiralty to meet the especial circumstances of that particular case. If the inquiry is still pending, I, for my part, will not say a single word which would prejudice it; but I would remind the noble Lord that I put a question to him the other day, and that the answers which he gave to me are extremely difficult to reconcile with the evidence which has been published in the public Press. I will not go into the matter now; but I shall continue to feel it within my right to call upon the noble Lord to reconcile the statement he has made to me with the evidence which has been given. I have risen now to ask him whether the inquiry is still going on, and if the whole proceedings before the Court, including all the evidence taken, will be in due course laid before this House.

MR. HANDEL COSSHAM: I only wish to say this. I think it a most monstrous thing that the resources of this country should be wasted in such tomfoolery as we have had described to us to-day. The hon. and gallant Admiral opposite boasts of what has been done to defenceless towns. Why, of course, any ship of war is able to knock down a defenceless town, and if that is the object of a Christian nation, then, I say, the less we have to do with it the better. I trust that the electors of this country will realize that this expenditure of money is simply for the purpose of filching more cash from the pockets of the people in the shape of extra Votes for the Admiralty.

MR. HANBURY: I should like to know what at the present moment is the actual position of the Accountant General, about whom we heard a good deal during the sittings of the Committee on the Navy Estimates, and who also occupied a good deal of attention at the hands of the Royal Commission when it was enquiring into Admiralty administration. I think this subject has been left open a great deal too long. We have an Accountant General under an Order in Council with certain defined duties. We have a staff on a large scale to assist him in doing those duties. But there is missing in the Admiralty an officer we ought to have in the shape of a permanent official, a Secretary, who should hold the threads of finance, and who should be a permanent official to carry on the duties from one Ministry to another. I know that now we are unusually well off in having the present Secretary to the Admiralty, who seems to have at his fingers ends everything connected with his Department; but should he resign, there is, I believe, no one who would be able to carry on properly his work. I therefore wish to know what decision has been arrived at in regard to this matter, and what is the actual position of the Accountant General? Then, again, as to the Director of Contracts, and as to the immense loss which apparently takes place every year from the way in which we dispose of obsolete ships. These ships cost an enormous sum of money, and yet they are practically sold for a mere song. There is no public competition; they are sold to the same firm year after year, and they go at a ridiculous price. Indeed, I am told that what we get for these ships is merely the value of the metal in them. It appears to me that there ought to be a great deal more open competition in these sales. I wish also to draw attention to the position of another officer—namely, the Engineering Chief. Now, this is a most important officer, and I fancy that the safety of our fleet depends largely upon the efficiency with which the duties of this office are carried out. We have hardly recognized in the Navy at the present moment the enormous importance of our engineers. We train up these men at great cost at our Royal Naval College, and yet some of them, having received their education at the public expense, leave the Public Service and are engaged by private firms. We have lately had the Engineering Chief (Mr. Sennett) leave us, and in his new appointment he is to receive, I believe, £3,500 a year, whereas he only received £1,000

at the Admiralty for practically taking control of the whole Engineering Department of our great Navy. I am not often found asking for an increase in the Estimates; but I think the whole of the Engineering Department, certainly the man responsible for the engines of our Fleet, is entitled to more than we pay at present. We ought not to grudge money being expended in this direction. I do not like to see these men being tempted away from our Service by private firms. When Mr. Sennett was examined before us, he complained of two things—he complained first of the vast amount of clerical work thrown on him at the Admiralty Office, saying that nearly three-fourths of his time was taken up by duties of this description, and I do think that a man who has control over the vast machinery of the Engineering Department of the Navy should be, as far as possible, released from clerical work, which might be done by clerks receiving a much lower rate of pay. Another complaint he made was with reference to the repairs of the engines, and I should like to know how far that particular complaint has been met. It seems that no sooner has he designed the engines for our ships, and they have been put on board the vessels, than he practically loses all control over them, and he has nothing whatever to do with repairs done to the engines in the dockyards. It is a curious fact that we have an Engineering Chief at the Admiralty, nearly the whole of whose time is taken up by clerical work, while the responsibilities of his office are practically divided in the dockyards. It occurred to me that as a new appointment has been, or is about to be, made, some desirable change might be effected, and the First Lord of the Admiralty would be able to give us some information on these points.

MR. FORWOOD: With reference to the question of the sale of ships, may I point out that an old mercantile ship can be devoted to a great many useful purposes, but an old obsolete warship can be turned to little or no account whatever and must be broken up. My desire has been to extend the area of competition for old warships and increase the number of buyers. When a number of vessels are condemned as obsolete the list is advertised, and particulars are sent to every firm in the kingdom known to be likely to deal in old ships and old materials, and in that way we have been able largely to increase the number of buyers. I do not think the Engineer-in-Chief has an unnecessarily large amount of clerical work to do. He could not possibly look over every vessel that requires repairs; there must be a division of labour, and that division is so arranged as to throw the more important work of designing the new ships and their engines on the Engineer-in-Chief, making him likewise responsible for re-engining vessels and all important works, but leaving the minor matters to his assistants.

*LORD GEORGE HAMILTON: With regard to the position of the Accountant General, we have endeavoured to make an arrangement by which a direct control over financial matters will be kept by a permanent official. I agree that the Admiralty and the country are much indebted to the exertions of the Financial Secretary to the Admiralty. The result of his untiring energy has been apparent in every branch of the Admiralty; and I hope that it may be possible that the Admiralty should continue to have the benefit of the arrangements suggested by his ability and energy, even if it should lose his services as Financial Secretary. With regard to the competition of private firms for the services of eminent technical officers, I am decidedly of opinion that everything possible should be done to retain the services of such officers for the Navy. In reply to the hon. Member for Dundee I may point out it would be contrary to practice to lay on the table the Report of the inquiry into the loss of the *Sultan*, and I cannot promise that it will be done in the present case. The proceedings, however, were public, the Press being present.

MR. SHAW LEFEVRE: I agree that the question of the remuneration of high technical officers in Public Departments is one of great difficulty, and that the salaries which are granted to those officers cannot compare with the amounts paid by private corporations for similar services, but I doubt if we could hope to compete with those enormous salaries. At the same time, it is desirable that the salaries of these high technical officers should be such as to enable the Admiralty to retain the services of those officials; and I am inclined.

to agree with my hon. Friend the Member for Preston that the position of Engineer-in-Chief with reference to the duties and responsibilities of the office does not compare favourably with other appointments at the Admiralty. On the contrary, the pay is very inadequate, and I hope that when on some future occasion the salaries are being discussed the First Lord of the Admiralty will bear this in mind. With regard to the Accountant General, I do not understand that the noble Lord has made any real change in what was the original design when the Order in Council was first framed. My impression is that it was intended that the Accountant General should be a permanent financial officer immediately under the Financial Secretary, with supervision and power to control the expenditure of every kind throughout the Admiralty. I am glad, at any rate, that the noble Lord has reverted to the original intention of the Order. With regard to the autumn manœuvres, I have nothing to say against them. I think the results have indeed been of a very valuable character, and I shall be glad to see the manœuvres repeated during the coming autumn. I do not wish the House to imagine for a moment that I have any objection to offer to those manœuvres.

Vote agreed to.

14. £78,900, Half Pay.

15. £718,500, Reserved and Retired Pay.

16. £757,700, Naval Pensions.

17. £168,300, Widows' Pensions and Compassionate Allowances.

18. £336,300, Civil Pensions and Gratuities.

MR. CHANNING: Upon this Vote, if I am in order, I wish to put a question to the noble Lord with regard to considerable services rendered by a distinguished naval officer. I would ask the noble Lord if adequate recognition has been made of the value of the flashing system of signalling, the invention of Admiral Columb in 1861, and adopted in Her Majesty's Fleet some five or six years afterwards? The value of this system of signalling at night during fog has been recognized by experienced men in the Navy and in the Merchant Service, and there can be no doubt that it has been most useful in securing the safety of vessels in thick weather. In the recommendations of the Board of Trade Committee on Signalling at Sea a similar system was suggested for the Merchant Service. Has the Admiralty in any sufficient way recognized the value of the invention?

*LORD G. HAMILTON: Personally, I willingly recognize the distinguished services rendered by the officer mentioned, not only in regard to the flash system of signalling, but in regard to other services rendered to the Navy. Certain compensation or remuneration was awarded, and whether sufficient or not it was the subject of long correspondence between the War Office, the Admiralty, and the Treasury, and we must assume the decision arrived at was final. But I quite admit that this is one of those cases where services rendered entitle the gallant officer to special distinction, and I will avail myself of any legitimate opportunity for the purpose.

Vote agreed to.

ARMY ESTIMATES.

19. £477,600 Army Reserve Force (including Enrolled Pensioners).

20. £668,400, Transport and Remounts.

*SIR WALTER BARTTELOT (Sussex, N.W.): I should like to ask one or two questions on this very important Vote. In the first place, I should like to know what has been done in regard to providing transport for two Army Corps. My right hon. Friend told us last year that he was making arrangements by which this transport should be forthcoming, and I am anxious to know how far these arrangements have been carried out. There is no question of the importance of this if the necessity for our Army Corps taking the field should arise. I should also like to know whether the new system of providing remounts for the cavalry is as successful as has been reported. I understand that General Ravenshill has done his work remarkably well, and that the new remounts are as good as those formerly provided by colonels of regiments. I should like to have it on authority if that is the case. Then I should also like to have some information as to the

result of the system of registering horses by the annual payment of 10s. per head. It is important to know how far this has been successful, and will have a great bearing upon the ability of a force to take the field should complications in Europe make it necessary, and we are bound to hold ourselves prepared for any emergency.

*Mr. E. STANHOPE: I am very glad my hon. Friend has given me the opportunity of saying a few words on the subjects he has mentioned. First, in regard to the remounts, I am glad to say that my sanquine expectations as to the new system have been amply fulfilled. The greatest credit is due to General Ravenshill and those who assisted him for the way in which they have carried out the duties of a somewhat novel character entrusted to them. It may be remembered that last year we registered 7,000 horses, and of those more than 1,000 were riding horses available for cavalry if required. This year we have applied to the owners of those horses to know if they are willing to register them for a second year, and with hardly an exception they have agreed to do so; only a very small proportion, due to various causes, is to be taken off the number. With the registration of 7,000 other animals this year, after the examination has been completed, I have not the smallest doubt that, humanly speaking, we shall have 14,000 horses available, and amongst these a considerable proportion of horses fit for cavalry purposes. The system has worked exceedingly well, and has surmounted one of the greatest difficulties we have had to encounter for years past. As to the transport, I should like to say that very careful attention has been given to it, and supposing that we should have to mobilize an Army Corps we should find it fully equipped in this respect, and much progress has been made towards providing transport for a second Army Corps. For foreign service matters are not so complete, but they are proceeding in the right direction; and I think that since the subject was taken up two years ago, the progress which has been made is thoroughly satisfactory.

*Sir JOHN SWINBURNE (Staffordshire, Lichfield): Will the right hon. Gentleman tell us how many merchant ships are under engagements for the purpose of transport, and what is thei average and highest rate of speed?

*Mr. STANHOPE: As the hon. Gentleman is aware we are well provided with troopships, but exclusive of these there are no merchantships under engagement for the transport of troops. There is very little doubt that they would be available at very short notice should occasion arise.

*Sir JOHN SWINBURNE: I was under the impression that there were merchant ships receiving a subsidy in order that they might be available for the conveyance of guns and troops should they be required.

*Mr. STANHOPE: The hon. Member is referring to a matter which rather concerns the Admiralty, and the arrangements by that Department in the case of war for the carrying of guns has nothing to do with the War Office and is a question which should be addressed to my noble Friend.

*Sir JOHN SWINBURNE: Then I understand there are no merchant ships under engagement for the purpose of transport?

*Mr. STANHOPE: It entirely rests with the Admiralty to make the contracts, and I am not able to speak from personal knowledge. But I have no doubt that the Admiralty have made arrangements for any emergency.

Vote agreed to.

21. £2,605,000, Provisions, Forage, &c.

*Sir WALTER BARTTELOT: I should like to just say a few words on this very important Vote. It is only right that we should hear from the Secretary for War what steps have been taken to carry out the recommendations in the Report of the Committee in relation to this subject, and there are one or two questions I should like to put in regard to it. Before doing so it is scarcely necessary for me to insist upon the importance of having our soldiers properly and well fed, and also of the food that is given to them being better cooked than it has been in past years. You cannot expect young and growing lads to do the hard work they are called upon to perform unless they are properly fed; and I feel that many crimes that are committed have arisen through men not receiving what they think is a sufficient maintainence for them, and therefore going to the

public house. One of the first remarks made in this Report has relation to the meat supplied, and the Committee say that while in the larger stations it is fairly good in quality, in the smaller stations there is much reason to complain that the soldiers do not get the quality of meat they have a right to expect. There is no doubt that contractors, in many instances at the smaller stations, do really buy inferior meat, knowing that they can dispose of it to the Army and to the Navy, and that it will always command the contract price. Now this certainly ought not to be. I think there ought to be a most careful inspection, and I do not see how that inspection can be thorough unless it is carried out by men who have a knowledge of what good meat is—who know what a good sheep or beast is when they see it. I have had some opportunity of knowing how stores are supplied. I recollect that when I was at Limerick I was Chairman of a Board appointed to examine some preserved meat, and we were asked to pass a quantity with 5 or 6 samples open before us. But I immediately said "This will not do at all," and I directed that this, that, and the other should be opened. And the result was that we cast the whole quantity, and most righteously and properly we did so, for it was all bad, though the prepared samples were good. The next thing to which attention should be called is bread, and I shall not be contradicted when I insist upon the importance of this to the people from whom soldiers are recruited. The working classes always demand good bread, and they say, and very truly say, that it goes much further than that of inferior quality. If that is the case, certainly the claim of the soldier to have good bread is one that cannot be overlooked. A third question has relation to cooking and cooking-ranges. We know that in olden days there was much to be complained of in these respects. It is one of the things that in this country we fail over more than anything else, and we know that many men among the poorer classes are driven from their homes to the public-house by bad cooking. I will not go into every question that is touched upon in the Report of the Committee; but I will conclude by insisting upon the necessity of an improvement in regard to cooking and cooking-ranges. This, after providing the men with really good food, is an absolute necessity, and I hope we shall get some satisfactory information from my right hon. Friend on these points.

MR. HANBURY: I have not read the Report of the Committee in relation to these matters, but there is just one point I should like to raise before the right hon. Gentleman replies. I think the War Office ought to know that the price paid for meat is in some cases ridiculously low—namely, 4½d. or even 4¼d. per lb. It is bad enough if the men have the whole of that; but I understand that out of this it is possible for the officers and non-commissioned officers to purchase what they require at contract price, and of course the contractors give them the best of it. [*Cries of* "No."] I ask whether that is the fact? If it is it ought to be put a stop to.

*MR. E. STANHOPE: I am sorry that, owing to the late issue of the Report, my hon. Friend has not had an opportunity of seeing some of the passages it contains. The War Office have taken up during the present year the question of the purchasing of contract meat by officers and non-commissioned officers, and a distinct order has been issued by the Quartermaster General that it is no longer to be allowed. The price paid for meat does, no doubt, seem extraordinary till the Report of the Committee distinctly stated that, at the larger stations at any rate, the quality is excellent, though at some of the smaller stations it is not so. The Report makes various recommendations, and among others that the regimental officers should interest themselves in those matters. I believe that regimental officers are at the present time taking greater interest in those matters than at any other period in the history of this country, and that close personal interest must result in great improvement. My hon. and gallant Friend has mentioned the question of cooking. That matter also has been taken up in all the regiments in the Army. I am afraid the cooking ranges are not in all cases suitable. That is a matter I hope to deal with along with improved barrack accommodation. It is a very grave matter, and it affects

*Mr. CAUSTON (Southwark, West): I must say I think the Secretary of State for War should say without asking us to read the Report of the Committee whether the statement is correct that the soldier has no food served out to him from 1 o'clock in the day until 7 o'clock next morning. The hon. and gallant Gentleman the Member for Essex, who has himself been in the Army, has pointed out the evils which exist under the present arrangement, and I think we are entitled to a full answer from the Secretary of State.

Major RASCH: As I have said, the Government ration is three-quarters of a pound of meat and one pound of bread. If the soldier saves his bread he has something left over for tea; but the bread and meat is generally consumed long before the meal called tea. In certain regiments a charge is made on the soldier's pay and an extra quarter of a pound of bread is provided, but this system is not carried out by the Government nor in every regiment, and many of the soldiers have to go without anything to eat—unless they buy it themselves—until seven in the morning.

*Sir J. SWINBURNE: Practically, then, it amounts to this, that many soldiers have nothing to eat between one o'clock and seven o'clock the next morning.

*Mr. E. STANHOPE: I do not think anyone can doubt that a more impartial Committee could have been appointed, or one that was more likely to consider the true interests of the soldiers, and they say that under proper arrangements the present ration is sufficient. I say that the arrangements now are proper.

*Sir F. FITZWYGRAM (Hants, Fareham): The great evil of the present system arises from the early hour at which the soldiers get their evening meal. In many regiments it is the custom to serve it out at five o'clock in the evening, and the consequence is that the soldier has to go without food for a long period. I think that if in no case was the evening meal served out till seven o'clock it would be a great improvement. I am of opinion, however, that the present ration is sufficient for the soldier, if no robbery, either in weight or quality, takes place.

*Colonel BLUNDELL (Lancashire, S.W., Ince): The great difficulty about serving out the evening meal as late as seven o'clock is that the men on some stations will not come back to eat it. In most well-regulated regiments there is what they call a dry canteen where the men can get something to eat at night if they choose. What commanding officers have to do is to see that when men return to barracks at night they are able to get bread and cheese, or soup, or something of that sort. If the recommendations of the Committee are carried out I feel sure the soldier will be well-fed.

Vote agreed to.

22. £945,600, Clothing Establishments, Services and Supplies.

General GOLDSWORTHY: I hope my right hon. Friend the Secretary for War will go fully into the question of clothing and see that the troops have good clothing, not only as regards to material but as regards the pattern. The materials of the greatcoats should be the best, because a man's life very often depends upon his having a good greatcoat. The under-clothing should also be good, and the pants should be such as will stand a great deal of wear. I mention these matters because, though apparently small, they are matters of vital importance.

Mr. HANBURY: If my right hon. Friend recollects, the Reports of the medical officers nearly all complained of the poor clothing of the recruits in the winter. Nearly every Report distinctly alludes to the fact that a great deal of consumption and chest complaints in the Army is due to that fact. It seems to be a very poor economy indeed. The clothing establishment at Pimlico is a most expensive establishment. In the first place it is in a position where the land is extremely valuable and could be sold by the foot. There are no poor people living in the neighbourhood, and they have to come from long distances, and have to be paid extra wages in consequence. I do believe that if my right hon. Friend sold the Pimlico establishment altogether and transferred it to a place where the land is less valuable, he would have to pay cheaper wages and effect a great saving to the country. It seems to me mon-

strous to have an establishment of the Government in a more or less fashionable quarter like the present.

MR. BRODRICK: My hon. Friend is quite right in saying that the question of the clothing of the recruits requires attention. The attention of the War Office has already been called to the point, especially with regard to young soldiers returning from foreign climates, or recruits who have just joined; and under the regulations there is a discretionary power to issue extra clothing or an undress suit. With reference to the Army clothing factory at Pimlico, there is no doubt that it is very conveniently situated, and to remove it would be a very great alteration. It is very accessible, in case of war, for the rapid transport of clothing to stations where it would be required. That is a consideration which should not be altogether disregarded in view of the rapidity with which large numbers of men's clothing would have to be transported abroad in case of the outbreak of hostilities.

MR. HANBURY: This matter has been mentioned in two or three Reports, and it is not enough to tell me that attention has been called to the matter. I know what that means. I am not satisfied with that answer. I want to know whether as a matter of fact this clothing is going to be supplied to the recruits.

*MR. E. STANHOPE: I beg to say that it was in consequence of the Reports of the medical officers that the special attention of commanding officers was called to this subject, and I believe that proper care will now be taken, at any rate ought to be taken by the commanding officers, who are responsible. One matter of importance is the proper clothing of recruits when they return from foreign service. Steps are being taken to ensure that the men who come from foreign service shall be supplied with warm clothing to enable them to withstand the rigours of this climate after coming from a warm climate.

*COLONEL BLUNDELL: I believe that it is a matter of great importance that the young men should be supplied with warm clothing, both as recruits, and on returning to this country.

Vote agreed to.

23. £1,808,000, Warlike and other Stores—Supply and Repair.

*SIR W. BARTTELOT: This Vote 12 is one of the Votes which was mentioned in the Royal Commission of which I had the honour to be a Member. And Votes 1 and 12 were the very Votes which were always manipulated when the Government wished to reduce expenditure in the Army. Everyone knows that these are the Votes for which the money was taken. I hope a better state of things is now about to arise. There are many other Votes which might well be manipulated. The War Office Vote itself and other Votes must be reduced considerably, but to reduce either Votes 1 or 12 is the most monstrous things that could be done. I am not alluding to one Government more than another. It has been systematically done. Vote 12 has almost always suffered. We know that at one time we had nothing in store, and we were obliged to use moneys, voted by this House for other purposes, to replenish those stores which had been depleted for the sake of keeping down the expenditure of the Army, and in order to show that the Government of the day was economical in every way. You could not have a more false economy. I see that for guns and carriages £207,340 is taken as against £140,490, and that increase suggests various questions. This is one of the most important Votes we have got to deal with, and I should like to ask my hon. Friend with regard to the increased amount of it whether the Horse Artillery and Field Batteries are all armed, or are about to be armed, with the new 12-pounder gun which is said to be the best gun in the world. My right hon. Friend told us that a certain number of horse artillery and field batteries were armed. I should like to know whether the whole have been armed. I should like also to know what progress has been made with the arming of our coaling stations. We were told that Gibraltar and Malta were in a most deplorable state for want of arms and guns of precision. The Commander-in-Chief has been to see the exact state of things at those stations, and I hope my right hon. Friend will be able to say that our Mediterranean

forts are in such a position as to insure the safety of our road to India and the colonies. There are other stations which have been sadly neglected, especially the Cape, and I should like to know in what position those stations now are? I think my right hon. Friend will agree that these are matters which cannot be put off, and that the safety of our fleet is at stake if they have not these stations to go into for coaling purposes, when they are defending our mercantile marine. I would like also to ask my right hon. Friend whether our great dockyards have been properly armed — Plymouth, Portsmouth, Sheerness, and other places? We have been told quite lately that these forts have not been provided with all the guns which ought to have been there, and we know that it was necessary, in sending some ships to sea, to take the guns from these forts and put them into the ships which did not get their proper guns. I should also like to know how many of the new rifles have been made, and whether any have yet been served out to the troops? This new repeating rifle, we are told, is the best that has been yet invented, and that there is no nation in the world that has got anything like so good a weapon. I should also like to know when the whole complement necessary to arm our regular forces will be completed. I asked yesterday whether the ammunition for the Militia was to be a different ammunition, or is to be the same as that served out to the regular forces. My belief is that it is not. I think it would be dangerous to adopt that course, because you might have to send abroad your militia, and if you had different ammunition to that of the regular forces most disastrous consequences might ensue to us at certain times, and under certain circumstances. I have asked these questions because I look upon this Vote as of the gravest importance, and I hope the statements we shall hear from the Secretary of State will be satisfactory to the Committee and to the country.

COLONEL EYRE (Gainsborough): I wish to ask the right hon. Gentleman the Secretary of State for War whether if a war occurred we have sufficient gunpowder for our armaments, without depending upon foreign sources for a supply. It is very important that our men should be properly fed and clothed, and it is also essential that we should provide ourselves with an efficient home artillery.

GENERAL FRASER: I trust that the Committee may be informed as to the present Armament of the Royal Artillery in India. It may be remembered that two years back the distinguished and anonymous General Officer who recommended the Horse Artillery reductions to the Secretary of State for War sneered at the Horse Artillery gun, and that we proved to him that there were no less than 62 field batteries equipped with the very same gun.

MR. HANBURY: With regard to the new magazine rifles, I should like to ask my right hon. Friend what the payment for patents has been, because a rather curious question arises in connection with it. We discover that a good many of them have been taken out by persons in Government employment, and who have access to Government information. It is a very important question how far those Government servants ought to be rewarded for inventions that had to be worked out in Government time. Very large claims have been made for payment in respect of these patents, but I cannot believe for a moment that my right hon. Friend has recognized those claims, if made by Government servants. Perhaps my right hon. Friend will tell me the exact sum paid.

*MR. CAMPBELL-BANNERMAN: I trust and believe the right hon. Gentleman will be able to give a satisfactory answer as to the progress that has been made in arming the Field and Horse Artillery, which for a long time I have considered the most important branch of the services that are included in this Vote. In urgency and importance I put it even above the Magazine rifle, for after all our Infantry is armed at present with the Martini-Henry, which will compare favourably with the weapons of other countries, but in respect of the guns of our Field and Horse Artillery, we are lamentably behind the position which we ought to occupy. I hope the right hon. Gentleman will be able to give us a satisfactory answer on that score. I listened with much interest, and a considerable amount of

sympathy, to the homily of my hon. and gallant Friend (Sir W. Barttelot), which he gave us by way of preamble to his observations. I agree that stores ought not to be depleted for what we may call political purposes, but at the same time I think it is right to protest against the idea that there is any particular advantage gained by exaggerated reserves of all sorts of stores. I never heard the true doctrine better laid down than by the First Lord of the Admiralty to-night. The true doctrine ought to be that we should maintain the fullest reserves that can be required of stores that do not perish while stored, and which take a long time to replace. But there can be no greater mistake than to heap up stores for the sake of giving ourselves the satisfaction of knowing that we have got a great quantity of stores, though they are perishable, or can be easily obtained. It is rather the habit I am afraid in military circles to say that we should have a large supply of every requisite, so that at any moment the Army may be sent on active service. And in naval circles it is the same thing. With regard to those articles which take a long time to manufacture, which are difficult to obtain, which can be kept in store without damage, and are not apt to become obsolete, the demand for a full reserve is reasonable enough; but on many of the most notorious occasions in which stores have been rapidly depleted, the process has been one of weeding out absolutely useless stores, and stores which it was much more desirable in the interest of the public service should be obtained at the time they were required.

*MR. STANHOPE: I desire to express my entire concurrence in the views of the right hon. Gentleman as to the principle on which we should keep our stores. I never desired for one moment to go beyond that, although I admit at the present moment we have hardly reached the point in respect of the Army when we can rest and be satisfied. I have endeavoured to check, as far as possible, any desire to extend our reserves of perishable stores, which would be a very great mistake. We are doing all we can to promote the centralization of stores and to facilitate the mobilization of the Forces. With reference to India I have no control over the orders of the Indian Government, but, as the recipient of those orders I happen to know that the Indian Government have ordered an enormous number of 12-pounder guns; and I believe that in a short time the Army in India will be armed with those guns. With regard to the coaling stations, practically the armament of the coaling stations has been carried out under the loan of last year, with the exception that a sum of £250,000 or £300,000, will be found in the Estimates for the purpose of providing light arms and ammunition. There has been some delay in those armaments, especially in regard to the larger type of guns, owing to the heavy demands of the Navy, because on all occasions I have never hesitated to place the claims of the Navy first. Nevertheless, in spite of the demands of the Navy, progress is being made, and I trust that some of the particular difficulties encountered in the course of the last few years have now been surmounted. I have to express my deep sense of the obligation the War Office is under to the colony of Singapore to provide them with guns as soon as possible. Some guns are going out almost immediately, and the whole of the guns for Singapore will go out within a few weeks. With regard to the more important coaling stations, I hope that during the current year a considerable number of big guns for their defences will go out, the smaller armaments being already almost all in their places, while the 6-in. guns for the minor coaling stations are also being proceeded with, and, indeed, we have received them from the contractors. In the defences at home, too, good progress is being made. Without going into details, I may say that Portsmouth is very much stronger than it was last year, while in the case of the Thames somewhat larger armaments are contemplated than were originally thought of under the plan proposed last year. The manufacture of the magazine rifle is proceeding very satisfactorily, but I cannot say we have a large number of completed weapons at the present moment. We are, however, under contract to allow certain contractors to carry on the manufacture of Martini-Henry rifles until they are in a position to give

effect to the manufacture of magazine rifles; but they are manufacturing those rifles of such a bore that when we have the magazine rifle we shall also have a considerable number of Martini-Henrys of the new bore which will carry exactly the same ammunition as the magazine rifle, and which we shall be able, in case of emergency, to issue to the regular troops. With regard to the patterns for the new rifle, I do not intend to allow the country to be saddled with any payment until I am satisfied that a distinct invention had been made by which the country would profit.

*COLONEL BLUNDELL: I am afraid the statement of the right hon. Gentleman with regard to the new rifle cannot be considered satisfactory, that being in my opinion the first and most important weapon of the Army at the present day. As to the Martini-Henry that is a fairly good rifle compared with other breech-loaders; but to compare it with the magazine rifle would be like comparing the old muzzle-loading rifle with the breech-loading weapons by which it was succeeded. Had we adopted the magazine rifle 20 years ago, the military history of this country during that period would have been very different, and the country would have been put to far less expenditure. I say unhesitatingly that the first requisite for the troops of the present day is the magazine rifle. There is a danger to be guarded against of contractors trying to defer its construction if allowed to continue making Martini-Henrys.

MR. HANBURY: I wish to put a question to my right hon. Friend the Secretary for War with reference to the case of the man Dunn at Woolwich. It was owing to his investigations that I was able to disclose certain discreditable transactions in regard to the stores at Woolwich. That man was enabled to bring out the whole of the information then put forward in spite of the strongest opposition on the part of his superior officers and yet, having done so much public service, he has been punished instead of being rewarded. The Judge Advocate General said he was even a better man than Spice, who was getting higher wages, and yet Dunn has been twice passed over in the matter of promotion by men whom he had been the means of exposing. I ask the right hon. Gentleman to protect that man and see that he is not subjected to the tyranny of those whose want of technical knowledge—I will not say, malpractices—he exposed. So far as I know there is no possible explanation of that fact except that this man has in the interests of the country exposed certain evils which came under his notice. It is said that he has been offered a post elsewhere. But, Sir, as a fact, he has not been offered a post of the value of the membership to which he is entitled. Why, I should like to know, do you want to get rid of this man? The Judge Advocate General reported very strongly in favour of Dunn being promoted, and he is in fact the very man who in the interests of the country ought to be kept in this particular Department. Only one reason has been alleged for keeping this man back from promotion, and I do not say that that is a reason which the right hon. Gentleman below me would be likely to father—I do not think he would support such a shabby suggestion, but still it has been put into his mouth by the enemies of this deserving workman. It is this, that since these occurrences he revealed to me a fact which he certainly was entitled to reveal, because he had made remonstrances on the subject to his superior officers without avail, and, that being the case, he had no right in the public interest, to let the public know what he had to disclose. Now he found that some hair for hospital beds, in which there was a great deal of blood and which also was very inferior material, was being used for the padding and stuffing of saddles. Now for such work it is important that good hair should be used, and I do not think anyone will say that hair from hospital beds ought to be utilized for the purpose. I asked a question about the matter in this House. Dunn had described the hair to me as being dirty and not fit to be used. Inquiry was made and a quantity of hair was picked out without Dunn having any opportunity of selecting any of it himself.

MR. BRODRICK: I may say that I was the person who went down to Woolwich in order to inquire into this matter. I requested Dunn to accompany me, and he did so and picked

out some of the hair with his own hands.

MR. HANBURY: That is in direct contradiction to what I have been informed. But that is not all. The hair was sent not to an independent expert but to a man who acted as foreman to a firm which was contracting under another Government Department, and he said that the hair was good for the purpose for which it was used. Now it appears to me that Dunn is being kept back from promotion simply because he gave me what is called "bad information," and because he meddled in a matter in which he had no interest. I do not believe that my right hon. Friend would be a party to such treatment of the man. Undoubtedly he has done a great public service. The Judge Advocate General declared him to be a man thoroughly fitted for promotion, yet he has twice been passed over in the natural course, and for nothing but the somewhat shabby reason which I have already explained. I hope I shall have the support of hon. Members on both sides of the House in this matter. It is not raised in a controversial spirit, and I do think we ought to err rather on the side of generosity to a poor man who, in spite of tremendous odds, has done a great public service. I trust, therefore, that unless strong reasons are shown for keeping the man back, my hon. Friend will remedy this injustice.

*MR. E. STANHOPE: Two or three questions have been addressed to me which I should like to answer at once. First with regard of the supply of gunpowder I am glad to be able to state that I have now made arrangements by which we are able to get all our gunpowder at home. I have not heard any complaints of it, and I believe it is of a satisfactory character. Next, as to the new rifles, I am confident that the contractors are desirous of pushing forward the new rifle. I believe that the delay has been mainly on the side of the War Office, though it was unavoidable. As to the point raised by the hon. Member for Preston, the Committee will remember the circumstances under which the case was brought forward. My hon. Friend seems to think he was the originator of the inquiry, and that he disclosed the scandals, but my recollection is that that inquiry was directed by myself the moment the Royal Commission of Sir James Fitz-James Stephen reported that it needed investigation. On that I asked the Judge Advocate General to hold the inquiry, and he did so in a thoroughly impartial spirit. The result of the inquiry was laid on the Table, and on it my hon. Friend based a very bitter attack on the Department of which I am the head. Now, Dunn and Moody were the men most instrumental in bringing the facts referred to to light, and the suggestion is that they have enemies in the Department who desire to keep them back and prevent them being promoted. But what are the facts? Moody has been promoted; he has been selected as a thoroughly good and competent man, and he has been promoted to the position of foreman. The case of Dunn is different. Dunn has not been in the same way reported for promotion by those under whom he serves. I have taken special care that Dunn's proceedings in every respect and the work he is doing shall be periodically reported to me, and I have seen the officers under whom he is serving. Last year a circumstance arose which told against him, and that was the question of the hair. My hon. Friend the Financial Secretary was present when Dunn made a selection, and he testified that the hair was taken out in a thoroughly fair and legitimate manner and submitted to an expert selected with the utmost care who reported that Dunn's complaints were without foundation, and the hair was thoroughly fit for the public service. It is possible that Dunn made a mistake in this matter. I do not want to judge him harshly. I am afraid he has been encouraged by my hon. Friend and other people, and that he has acted too hastily. But in consequence of that simple act I should not for a moment think of saying he was unfit for promotion. He may have honestly made a mistake. I am perfectly willing that he shall be promoted as soon as he is reported fit for it. We have already offered him an advance in his wages. One of the offers would have removed him from the shop in which he is now working to another shop where he would have undoubtedly earned more wages. But he did not

think fit to accept either of these promotions. I leave it to the House to say, under these circumstances, whether I have treated him otherwise than fairly. When he is fit for promotion, he shall have it.

MR. HANBURY: I have no wish whatever to bring my right hon. Friend and Dunn into collision as to what happened at Woolwich in regard to this question of the use of hair from hospital beds, but the main facts remain undisputed. The man Dunn said that hair from hospital beds was being used for the padding of saddles. It is now admitted that it was used, and I do not think that any one will say that such material was the proper stuff to use. My right hon. Friend cannot indeed deny that that stuff is still being used at the present moment, and therefore it is no good his attempting to draw a red herring across the scent, and to try to lead us away from the main point. I say that Dunn was absolutely correct when he said that this hair from hospital beds was not the proper material to be used for the stuffing of cavalry saddles. Then the right hon. Gentleman has stated that he has not had any report from Woolwich saying that Dunn is fit for promotion; but we have the actual fact that he has already been offered another post, and in addition to that we know that he actually acted as a viewer for several months without a single complaint being made against him. The Judge Advocate General specially reported him as a man who ought to be promoted, and added that he had more knowledge of this work than the very man on whose report apparently his promotion is made to depend. I refer to Inspector Spice, who is the man who practically has to recommend Dunn for promotion, for he is his immediate superior, and I do protest against Dunn's fate being left in his hands.

MR. JAMES ROWLANDS (Finsbury, East): As one of the persons who may be accused of having egged Dunn on in this matter, may I venture to say that there was no egging on whatsoever in regard to this particular case. We have on more than one occasion been able to bring under the attention of the Government facts in connection with Public Departments which have exposed radical wrongs, and time after time it has been admitted that information obtained from men like Dunn has proved very accurate indeed. I do not think the right hon. Gentleman has met the case quite fairly. It has been admitted by the Judge Advocate General's Committee that he was equal to the position of viewer. The right hon. Gentleman has told us that he has not received the necessary information with regard to Dunn which would entitle him to promotion. Afterwards he told us that offers had been made to Dunn which would have placed him in a better position than the one he now holds, but that he declined to accept them. Why did Dunn decline? Because, Sir, he considered that they were offered to him in order to shelve him from the legitimate promotion to which he was entitled, and he thinks he ought not to be deprived of that promotion simply because he has done his duty to the country. If he is not worthy of promotion why have these offers been made to him? I do hope the right hon. Gentleman will take a broad and generous view of this man's case, for whenever a public servant—however humble the position he holds—does a great public service, he ought not to suffer for his action. The opinion at Woolwich among the Dockyard *employés* is that Dunn is suffering for what he attempted to do in the public interest, and if you look at the local press there, you will see that they take a similar view of his position, and will make it clear to the *employés* in the public service that Dunn is not to suffer for the action he has taken.

Vote agreed to.

24. Motion made, and Question proposed,

"That a sum, not exceeding £715,000, be granted to Her Majesty, to defray the Charge for the Superintending Establishment of, and Expenditure for, Engineer Works, Buildings, and repairs at home and abroad (including purchases), which will come in course of payment during the year ending on the 31st day of March, 1890."

*MR. CAMPBELL-BANNERMAN: I think it only right on this Vote that I should ask the right hon. Gentleman whether he can give us any information as to what he proposes to do in regard to his new barracks scheme. He told

us in the beginning of the Session that he had a scheme in hand for the erection of new barracks, and he greatly disturbed the equanimity of many of us when he intimated that in the course of the Session he would be obliged to make a proposal to Parliament for a loan to meet this expenditure. Since then we have heard nothing of it, and I hope he will give us some information on the subject.

*MAJOR-GENERAL GOLDSWORTHY: I hope that the Secretary for War will be able to tell the Committee something satisfactory. Many of our barracks are a disgrace to the country, and the health of the men might be improved and crime prevented if the men were well lodged. It is not so much the new barracks which are complained of as the very old ones and temporary huts and like structures which they have to put up with. I trust also that special attention will be paid to recreation rooms and the provision of coffee bars, so that the men may be as comfortable as in civil life. I do not go so far as Lord Wolseley in advocating conscription, but every reasonable inducement should be offered men to join the Army, and I think it would be a very good thing if a larger number of men could be induced to enlist in the Army, if only for a short period, for they might go back to civil life mentally, morally, and physically improved. Nothing would tend so much to the attainment of this end as the provision of good barracks.

*MR. STANHOPE: I do not wonder that the right hon. Gentleman has called attention to this matter; and I am sorry that I have been obliged to delay my statement so long. But my examination of the question was attended with great difficulty, and I felt it my duty to ascertain all the *data*, and to proceed upon careful Estimates of what was wanted. As it is I am afraid that I may not be able this Session to present any general scheme. It may be that the remainder of the Session will not be long enough to make an exhaustive inquiry, but I do at once propose to make a beginning; and a portion of the scheme will be presented in the form of a Supplementary Estimate. For example, I could not reconcile it with my conscience to leave Dublin Barracks in their present condition. Nor can Portsmouth be neglected. The barracks at Portsmouth has been evacuated and will probably have to be pulled down. Those at Dublin will have to be dealt with as a whole, not only in regard to barrack accommodation, but also as regarded the stores, which are extremely inconvenient. If certain portions of the Royal Barracks were evacuated good store-rooms could be provided, and this it is proposed to do; and the place can be put into the best sanitary condition. Richmond Barracks, where I am sorry to say there has been a good deal of sickness latterly, can be remedied without great difficulty or expense. I can not say what is necessary, but the matter will at once be attended to. The Cavalry Barracks and the Ship-street Barracks will also be attended to, and portions of the latter may have to be pulled down. The Government are in possession of the old Richmond Prison, but more land will be wanted. Certain portions of it can be converted into barracks at less cost than new ones could be erected at. The Committee is entitled to all the information I can give, and may be assured that the Government has no intention of abandoning their plans, and mean thoroughly to grapple with this crying evil, although they could not mature a complete scheme this Session.

*MR. PICKERSGILL (Bethnal Green): There is included in the Vote the item of £20,000 for the purchase of land for mobilization stations. I have not been able to find it in a definite form, but I know it is there, because the Secretary of State for War told me so a few weeks ago, when I took the precaution of addressing to him a question on the subject. Mobilization is the order of the day. I do not say that mobilization is a fad of the day, because I am very sensible of the extreme importance of mobilization, but at the same time we cannot afford to sacrifice everything else to mobilization, however important it may be. The Secretary of State proposes to break up 14 batteries of Artillery, in order to create ammunition trains.

*MR. E. STANHOPE: No. I do not propose that. That was a proposal made two years ago, but now we have made other proposals.

*Mr. PICKERSGILL: I am extremely glad to have elicited that statement from the right hon. Gentleman, which, I venture to say, is not only new to me but new to many gentlemen of the military profession. But I only referred to the matter to show that at the present time mobilization is popular, that mobilization is, to some extent, a cry to conjure with, and it is under the name of mobilization that we are asked to-night to vote £20,000. As I am about to ask the Committee to reject the proposal to spend £20,000 for the purpose proposed, it is obvious I must refresh their memory as to the terms in which the proposal was submitted. The Secretary of State for War, referring to the scheme, said—

"The scheme now adopted is an additional security, necessary only in what may be a remote contingency, but in that contingency some part of the battle would have to be fought by troops inferior to those to which they would be opposed. It is, therefore, necessary to prepare and strengthen the positions which they would occupy. There are certain strategic positions round London commanding roads and railways which are essential to its defence. These are the positions on which, on London being threatened, the defenders of London would, in a few days, be concentrated and entrenched. Almost all this work is to be left to be rapidly carried out when the emergency arises. There are, however, a few sites of specially urgent importance, which we deem it essential to acquire at once. It is the intention to establish ordinary field works in the form of entrenched camps, which would form a backbone of a defensive line, and in which certain articles which would be required on the shortest notice could be stored, and where it would be possible hereafter to exercise some of the defenders in the actual place which they might have to defend. The cost will be inconsiderable. The negotiations are pending for these essential sites, and I have accordingly included in the estimate the sum of £20,000."

Now, I ask the Committee whether reading between the lines, they are satisfied that this sum is to be expended for a purpose which is necessary, which is essential to mere mobilization of the troops, which within certain limits I thoroughly approve of, or whether, on the other hand, this is not the first step in a course which I believe would lead to the expenditure of millions sterling, and not only the expenditure, but the wasted expenditure of millions sterling. I mean the first step in the fortification of London. I wish to strengthen my position by calling attention to what I regard as a most remarkable coincidence. Last year there appeared in one of the magazines a remarkable series of articles upon the British Army, articles which were originally published anonymously, but which have since been republished under the admitted authorship of Sir Charles Dilke. Whatever hon. Members may think of these articles, every unprejudiced mind will consider them the result of a very close study of the subject. But it is more to my present purpose to point out that there is a remarkable resemblance between the suggestions which are thrown out in those articles and the propositions which have been put before the House by the Secretary of State for War. But although, as I contend, the two schemes are substantially identical, the Secretary of State misleads us, unintentionally of course, by the idea that the work can be done for £20,000, while Sir Charles Dilke fixes the price at between £3,000,000 and £5,000,000. I have no doubt the right hon. Gentleman will say that he is not about to commence the fortification of London, and I have no doubt also that he will be perfectly sincere in making that profession, that he really believes that £20,000 will be the extent of the expenditure. But in cases of this kind the experience of the past leads us to the conclusion that by a kind of fatalism, as it were, we are led on by promises of small expenditure until thousands and millions of pounds sterling have been expended. We are now asked to enter upon an entirely new road of military expenditure, and, therefore, I may fairly ask the Committee to pause before it takes the first step. I beg to move the reduction of this Vote by £20,000.

Motion made, and Question proposed, "That a sum not exceeding £695,000, be granted for the said Service."—(*Mr. Pickersgill.*)

MR. J. ROWLANDS: I think the statement of my hon. Friend is worthy of some notice by the right hon. Gentleman the Secretary of State. My hon. Friend has, at least, tried to make out his case. He has pointed out what he thinks to be a new departure from our military expenditure, and I know I am not wrong in saying there are some military authorities who believe the fortification of London would be a great waste of money.

*MR. STANHOPE: I hope the hon. Gentleman (Mr. Pickersgill) will not think I meant any discourtesy to him in not rising to reply to his remarks. I thought I had made my case very clear in the speech I made on the Army Estimates, and which the hon. Gentleman did me the honour to quote. I certainly am quite prepared to rest my case on the statement I laid before the House on that occasion. The hon. Member for Finsbury says there are some military authorities who are opposed to the fortification of London. I am equally opposed to it. No one connected with the War Office have for a moment suggested the fortification of London. They have proposed, and I have approved a simple scheme for mobilising the Auxiliary Forces for the defence of the capital. Some money must be necessarily expended in order to obtain sites on which to put store-houses, which must necessarily be expended in order to enable the Forces to take up their positions with the least possible delay. I can assure the Committee there is nothing behind this which I have not fully explained, and nothing is further from our intentions than to allow the scheme to be developed into a general scheme for the fortification of London.

*MR. PICKERSGILL: I propose to go to a division.

The Committee divided:—Ayes 36; Noes 150.—(Div. List No. 153.)

Original Question again proposed.

MR. WADDY (Lincolnshire, Brigg): I wish to draw the attention of the Government to the dangerous character of the Dover Barracks. They are practically sunk into the earth; which I daresay is a very desirable thing from a military point of view, but which results in their being about as unwholesome and damp as it is possible for them to be. For many years past the health of the men stationed there, even for a short time, has been most prejudicially affected. I do not know what steps ought to be taken in the matter, but certainly something ought to be done, because at present they are simply ruinous to the health of every man who dwells there even for a couple of months.

COLONEL NOLAN (Galway, N.): I notice that no money is being taken for Galway Barracks, which are among the worst in the kingdom. The main barracks must be over 100 years old. There is a new barracks at Galway, but it is a very small one.

*MR. E. STANHOPE: Galway Barracks is certainly one of those which are engaging our attention, and I do not think it will be justifiable to allow troops to remain there for a much longer period. As to Dover, the question has come before me, although I am not closely acquainted with the details of the case.

MR. WADDY: It is the much larger rooms I referred to, those underground, where the walls are streaming with damp, and so unwholesome that many men have contracted serious illnesse from this cause.

*SIR E. HAMLEY (Birkenhead): Perhaps I may be allowed to ask for some definite information as to the works styled in the Estimates "Mobilization Stations," which are intended for the defence of the kingdom. In common, I am glad to think, with most of the public, I feel the deepest interest in this subject, and I would ask the right hon. Gentleman to give the Committee information as to the localities and extent of the positions he proposes to fortify, the purpose they are intended to fulfil, and the circumstances

under which Volunteers would occupy them.

*Mr. E. STANHOPE: I think that if the hon. and gallant Member will consider, he will understand why I do not think it would be right for me to give such details as he desires. I think I am bound to maintain some reserve on this subject, not as regards my hon. Friend himself, from whom I have so often received valuable assistance and advice, if he or any other hon. Member specially interested will communicate with me, I will give the information desired.

*Mr. CAMPBELL-BANNERMAN: Recurring again to the general question of barracks, and to the statement made by the right hon. Gentleman, I am glad to recognize that he does not contemplate any large and comprehensive scheme dealing with the subject at this late period of the Session. I am not surprised that when he came to close quarters with the subject he found that it required a good deal of detailed investigation. No doubt any scheme of the kind will require the fullest consideration, and I think that the appointment of a Committee or some tribunal of the kind would be highly satisfactory as a means of arriving at full information. With regard to any barracks, at Portsmouth, Dublin, or elsewhere, which the right hon. Gentleman can show to be in a wholly insanitary state, there will, I am sure, be every readiness in the House to support him in dealing with so urgent a case. The Dublin Barracks are in a very bad state, and when the right hon. Gentleman tells us that there is always a mystery about these barracks, I would add that there is the same mystery about many other public buildings in Ireland. I am afraid that even the Vice-regal Lodge and the Chief Secretary's Lodge are not above suspicion; I do not mean morally or politically, but physically. I know that at the Chief Secretary's Lodge there is some mystery. I remember that when I occupied that building for a short space when I held the office of Chief Secretary, there was a doubt raised as to its condition, and the Report that was made was to the effect that structurally and in sanitary matters, and in drainage and water, the house was pronounced perfect; and I remember there was special approval of a particular well from which water was drawn by a pump; but then the Report concluded with a recommendation that the handle of the pump should be immediately removed. That little incident is significant of what might be said of many other buildings in that country. But what I meant to convey is that money required for the restoration of barracks, where it is necessary for the health of the troops will, I am sure, be given without grudging; but a large and comprehensive scheme for new barracks must require much consideration.

*Mr. E. STANHOPE: I must reserve the terms of any proposal I may have to make, but I undertake that no fixed scheme shall be pressed upon the House without full time being given for its consideration.

Mr. CAMPBELL-BANNERMAN: And we are not committed.

Mr. HANKEY (Surrey, Chertsey): Perhaps the right hon. Gentleman can inform me if there is any probability of Woking Prison being made available as a barracks for troops. It is a building comparatively unoccupied by convicts, and with small expenditure would provide excellent accommodation for troops.

*Mr. E. STANHOPE: My hon. Friend must understand me as not giving a final answer, but I hope it will be found possible to secure Woking Prison for the purpose of barracks.

Question put, and agreed to.

25. £115,300, Establishments for Military Education.

Colonel NOLAN: I wish to take this opportunity of asking a question in reference to the Royal Military Academy. I understand from the Press that the fees for the sons of the civilians are much increased. For the sons of military officers the fees are lower and

fixed on a scale according to rank. I have no objection, and that it is quite reasonable that military officers should have this advantage. But they should not get the advantage out of the pockets of the civilians, whatever loss there is to be made good should be provided by the State. I suspect this action arises out of the action of the Committee on the Navy Estimates; we certainly did find fault with some items of expenditure, and unnecessarily high salaries. The effects of this raising of fees against civilians is really to reintroduce purchase into the Army. Remember, the system of purchase which ultimately required eight or nine millions for its adoption, began with very small sums.

*GENERAL SIR F. FITZWYGRAM (Hants, Fareham): I beg to move the Motion of which I have given notice, to reduce the Vote for the Staff College by £100. It is not because I am altogether hostile to the Staff College, for I believe such an institution may be useful, and in some cases necessary, but it is because I wish to point out the strong, I might almost say the universal, feeling of injustice that prevails among Regimental officers as to the undue preference shown to Staff College officers in appointments to the staff. Staff appointments are the prizes of the Army, not so much because of the higher pay or lighter duties, as because these officers are brought more prominently forward for distinction after every campaign, when rewards are distributed, and Regimental officers are left in the cold shade of neglect. I am sure it is the wish of every officer in the Army that the staff should be supplied with the best men the Army can supply. If, then, when a Staff appointment is vacant, a Staff College officer is, in the opinion of the Military authorities, the best fitted, by all means let him have it. But if, in the opinion of the same authorities, there is a regimental officer better fitted, I say, in the name of common-sense and justice, he ought to have it. I am for free trade and fair play in this matter as elsewhere. I have nothing to say against Staff College officers as a rule, and do not suggest that they are incompetent; what I protest against is this system of preference that tends to depreciate the value of regimental services. Regimental officers number some 6,000 or 7,000, the Staff College officers only about 300. Regiments are the backbone of the Army, and on their efficiency depends success or disaster. If the Staff College education is good, I do not see why fair competition with the Regimental officers should be feared.

THE CHAIRMAN: I would point out to the hon. and gallant Gentleman that this discussion does not properly arise on this Vote. The administration of the College is relevant to the Vote; but I understand the hon. and gallant Gentleman to be raising the question of promotion of Staff College officers, and this is pertinent to the War Office Vote.

COLONEL NOLAN: Every good Regimental officer can get into the Staff College; it is simply a question of examination, and he has but to qualify himself. Regiments are the backbone of the Army; but the staff ought to be the brains. I have not had an answer to the question I raised about the Military Academy.

MR. BRODRICK: The change made in the amount paid for cadets who are not officers' sons has been adopted on the recommendation of a Committee which inquired into the matter, and, having regard to what is paid at public schools, the charge is not excessive.

*MR. CAMPBELL-BANNERMAN: Before the Vote is passed I should like to have some explanation of the increase under the sub-head for regimental and garrison schools. Nowadays, with the extension of the system of primary education, we should naturally expect a reduction rather than an increase.

MR. BRODRICK: A large number of soldiers availed themselves of the voluntary education than was anticipated last year, and that has necessitated

an increase in the staff for the present year.

CAPTAIN NOLAN: I think the explanation of the hon. Gentleman in reference to the Military Academy is anything but satisfactory. It is monstrous to make a comparison with Eton and Harrow, and £150 a year is altogether out of proportion to the cost of education and maintenance of the cadets. I think this increase arises from the desire to show the Academy is a paying concern. I should like to know the composition of the Committee referred to.

Vote agreed to.

26. £89,800, Miscellaneous Effective Services.

27. £15,700, Reward for Distinguished Services.

Motion made, and Question proposed,

"That a sum, not exceeding £79,300, be granted to Her Majesty to defray the Charges of Half Pay, &c., of Field Marshals, and of General, Regimental, and Departmental Officers, which will come in course of payment during the year ending on the 31st day of March, 1890."

It being Midnight, the Chairman left the Chair to make his Report to the House.

Resolutions to be reported upon Thursday.

Committee also report Progress; to sit again to-morrow.

TELEGRAPHS (ISLE OF MAN) BILL.

(No. 273.)

Read a second time, and committed for Thursday.

WAYS AND MEANS.

Considered in Committee.

(In the Committee.)

"Resolved, that towards making good the Supply granted to Her Majesty for the Service of the year ending on the 31st day of March, 1890, the sum of £26,473,944 be granted out of the Consolidated Fund of the United Kingdom."

Resolution to be reported upon Thursday.

Committee to sit again to-morrow.

SUPPLY.

Resolutions [17th June] (see page 34) reported, and agreed to.

NATIONAL PORTRAIT GALLERY BILL.

"On Motion of Mr. Plunket, Bill to provide a Site for a National Portrait Gallery; and for other purposes connected therewith, ordered to be brought in by Mr. Plunket, the First Lord of the Treasury, and Mr. Jackson.

Bill presented, and read first time. [Bill 279.]

ARTIFICIAL DAMS.

COLONEL NOLAN (Galway, N.): I beg to move for a return of the areas in Great Britain and Ireland which would be flooded so as to seriously endanger human life. There has been so much in the papers recently about the bursting of dams, that I do not think it necessary to make any speech on the subject.

AN HON. MEMBER: I object.

COLONEL NOLAN: Surely the Government do not object?

*MR. SPEAKER: Objection has been taken.

ADVERTISEMENT RATING BILL.

(No. 35.)

Considered in Committee.

(In the Committee.)

Clause 1.

MR. HUNTER (Aberdeen, N.): I move to report Progress.

THE PRESIDENT OF THE LOCAL GOVERNMENT BOARD (Mr. RITCHIE, Tower Hamlets, St. George's): I hope the Motion will not be passed. The Bill applies to all parts of the country, and I am sure the House generally approve of it.

COLONEL NOLAN: I oppose the Bill because my Motion was opposed.

Committee report Progress; to sit again upon Thursday.

TREASURY, SOLICITOR'S DEPARTMENT.

Copy ordered,

"Of Return of a Copy of the Treasury Minute, dated the 20th day of December, 1888, relating to the re-organisation of the Department of the Treasury Solicitor."—(*Mr. Jackson.*)

Copy presented accordingly; to lie upon the Table, and to be printed. (No. 198.)

House adjourned at a quarter after Twelve o'clock.

HANSARD'S
PARLIAMENTARY DEBATES.

No. 3.] FIFTH VOLUME OF SESSION 1889. [JUNE 27.

HOUSE OF COMMONS,

Wednesday, 19th June, 1889.

CHURCH SITES (COMPULSORY POWERS REPEAL) BILL. (No. 36.)

Order for Second Reading read and discharged.

Bill withdrawn.

INTERMEDIATE EDUCATION (WALES) BILL.

Ordered—

Address for Return showing for each County and Borough County in Wales and Monmouthshire—1. The number of Grammar Schools; the income from Endowment; the number of Scholars; the date of the Schemes under which they are managed. 2. The number and income of Charities with Endowments above £30 a year. 3. The Population, Ratable Value, and Amount which would accrue from a Halfpenny Rate.—(*Mr. Stanley Leighton.*)

MR. DILLWYN (Swansea): The Committee on the Intermediate Education (Wales) Bill is on the Paper for to-day. May I ask if it is intended to take that stage of the measure?

*THE FIRST LORD OF THE TREASURY (Mr. W. H. SMITH, Strand, Westminster): As the Bill is not a Government measure it is not for me to say whether it will be taken or not. I hope that it will not be taken, because we are not yet prepared with our Amendments.

ARMY CONTAGIOUS DISEASES.

Ordered—

Address for Return showing the ratio of admission into Hospital for Syphilis per 1,000 of strength of the Troops at certain large Stations in the United Kingdom (formerly under the provisions of the Contagious Diseases Acts) during each of the years 1881 to 1888.—(*Mr. Cavendish Bentinck.*)

MOTION.

COAL DUTIES (LONDON) ABOLITION BILL.

*MR. BRADLAUGH (Northampton): There is a notice on the Paper in the name of the First Lord of the Treasury for the suspension of the Standing Orders in favour of the Coal Duties (London) Abolition Bill. I cannot help thinking that it is a somewhat extraordinary thing to suspend the Standing Orders without notice and without explanation in favour of any Bill.

*MR. W. H. SMITH: I rise for the purpose of moving,

"That the Motions relating to the Coal Duties (London) Abolition Bill may be taken this day, at any hour, though opposed, and the proceedings thereon shall not be interrupted at half-past Five or Six o'clock. But as soon as the said Motions, and any subsequent unopposed business, are disposed of, the Speaker shall adjourn the House without Question put."

The hon. Member for Northampton (Mr. Bradlaugh) has made some observations as to the inconvenience and inexpediency of moving the suspension of the Standing Orders without previous notice. The Government had had some hope that the Motion of the hon. Baronet opposite, the Member for Barnard Castle (Sir. J. Pease) would have been reached last night before twelve o'clock, but as this hope was disappointed, I felt it my duty, looking to the urgency of the matter, to place on the Paper for this morning the present Motion. I may remind the House that the Bill to which it relates was read a second time before the holidays, after a short and interesting debate, when the right hon. Gentleman the Chairman of Ways and Means (Mr. Courtney), having pointed out the inconvenience of reading a Bill of this

character without examination by a properly constituted Committee of the House, I and my right hon. Friend the Home Secretary, on behalf of the Government, agreed that the Bill should be read a second time on the distinct understanding, to which the hon. Baronet acceded, that it should be referred to a hybrid Committee, which it is usual to appoint under circumstances of this character. That course was assented to by the hon. Baronet, and the Government now ask the House to afford the requisite facilities for such a consideration of the Bill before passing it into law. To be effective, the Bill must pass the House before the end of the first week in July, if not, rights might be exercised which might be exceedingly injurious to the whole of the Metropolis. Therefore, looking at the important interests involved the Government think it right to ask the House to give facilities for the consideration of the Motion of the hon. Baronet which stands on the Paper for to-day. If the Motion were allowed to stand over from day to day, the measure would be defeated altogether, and under these circumstances, much as I regret the necessity of asking the House to suspend the Standing Orders, that appears to me to be the only method by which we can obtain a due consideration of the question by a Select Committee. Under these circumstances I beg to move the Motion which stands in my name.

Motion made, and Question proposed,

"That the Motions relating to the Coal Duties (London) Abolition Bill may be taken, this day, at any hour, though opposed, and the proceedings thereon shall not be interrupted at half-past Five or Six o'clock. But as soon as the said Motions, and any subsequent unopposed business, are disposed of, the Speaker shall adjourn the House without Question put."—(*Mr. William Henry Smith.*)

*Mr. STUART (Shoreditch, Hoxton): I shall certainly divide the House against the proposal to suspend the Standing Orders in the manner which the right hon. Gentleman has proposed. No public notice has been given to the House in any way. We only discovered the notice on the Paper this morning. On a Wednesday many hon. Members are absent from the House, and those who came down this morning did so without in the least suspecting that any such Motion as this would be pushed forward in this way. I do not think that the explanation which has been given by the right hon. Gentleman is at all adequate, because fair notice might have been given, and the Motion for suspending the Standing Orders might be made to-morrow. I and those who are acting with me do not oppose the Bill of the hon. Baronet. We are in favour of the Bill and voted for the Second Reading, and we shall be glad to see it passed because we entirely object to the dues which are levied in the Metropolis at this moment. But we do not agree with the right hon. Gentleman that if the Bill is not passed within the time stated the City of London will have a free hand in the matter. The Corporation have, no doubt, some doors they can lock, but there are other doors that are open. It would be quite out of place to discuss the merits of the Bill now, but I oppose the Motion because I feel that the House ought not to be called on to deal with the matter in the hurried manner proposed, and to pass a Resolution whereby the City of London will practically be enabled for a certain number of years to levy a rate on the whole of the Metropolis. If the Corporation have liabilities to meet, let them be met by a rate levied within the City area. I have no desire to detain the House, but I certainly must enter my strong protest against the course proposed. The House is practically taken by surprise in the matter, and I hope the right hon. Gentleman will not persist in the Motion.

*Mr. BRADLAUGH: I intend to oppose the Motion for reasons somewhat different from those put forward by my hon. Friend. I object to make a precedent of the kind proposed, although I agree that the Bill ought not to be defeated by the matter being put off from day to day, as has been the case since the Second Reading. I would suggest that a simpler and better method than suspending the Standing Orders to the detriment of private Members would be for the Government to allow the question to be put on the Paper as the first business for to-morrow or Friday. The Government have already taken away nearly the whole of the time of private Members, and it is rather too much when Members who

work hard in this House have made arrangements on the supposition that on a Wednesday they will be free at six o'clock to attend to other business for the Government to ask them to suspend the Standing Orders, so that the Motion of a private Member may be taken out of its regular order. The Government say that this is the only method of doing it. That is not so, because they have themselves provided in the new Rules for exactly this contingency. They have provided that they themselves shall have control over all of the business of the House except on Friday evening, and they can therefore put this matter down as the first order for any day they choose. I shall certainly vote against this kind of precedent being created. I say nothing about the merits of the Bill. I am in favour of abolishing these dues entirely, and I voted in favour of the Second Reading of the Bill. On behalf of private Members generally I protest against the proposed suspension of the Standing Orders, and I would suggest that the First Lord of the Treasury should put down the Motion as the first order for to-morrow in which case there will be no interference with the arrangements of private Members either here or elsewhere.

*MR. PICKERSGILL (Bethnal Green, S.W.) : As I have been referred to by the right hon. Gentleman opposite, and as an Amendment which stands in my name on the Paper will be affected by this proposal, I desire to say a few words. The First Lord of the Treasury, no doubt unintentionally, has misrepresented the understanding which was come to previous to the Second Reading of the Bill. What was stated was that there were certain alleged rights existing by charter which the Bill would affect, and that it was in accordance with precedent to appoint a Select Committee to investigate what would be the legal position of the Corporation under the circumstances which the Bill would create. This understanding I am willing to see carried out, and the Amendment which I have put down will allow the Select Committee to investigate thoroughly the legal position of the Corporation. But the Motion before the House goes beyond that, for it refers to a matter that ought not to be sent to the Committee—namely, whether the Corporation of London shall be allowed to continue the tax on coal.

*MR. SPEAKER : Order, order! The hon. Member is going beyond the question before the House, and is now discussing the subject matter of the instruction itself.

*MR. PICKERSGILL : I was only following the explanation which had been given by the right hon. Gentleman. At any rate the question resolves itself into whether the whole question which has been already settled by the ratepayers of London shall be referred to a Committee of the House, and to this proposition I am distinctly opposed. Not recognising the suitability of the proposal I gave notice of the Amendment. The Motion now made is of a most extraordinary character. We are familiar with the suspension of the Standing Orders for the purpose of advancing public business, but it is a new departure to suspend the Standing Orders in order to advance the Bill of a private Member. If that is to be done in one case, why not in all? Certainly the hon. Baronet has not as good a claim as hon. Members who sit on the other side of the House. I think it ime possible not to suppose that some occult influence has been at work, the real object being to do a good turn for that fast Friend of the Government, the Corporation of the City of London.

MR. J. ROWLANDS: I also feel bound to protest against the high-handed proceedings proposed to be taken by the right hon. Gentleman. I am not aware that any explanation has been offered which can possibly justify the act. If the right hon. Gentleman could have said that urgent circumstances have occurred which render this extraordinary proceeding necessary, we might not have objected to the Motion, although we certainly should not have liked it. The instruction to the Committee which has been placed on the Paper by the hon. Baronet in my opinion goes far beyond the understanding arrived at on the Second Reading of the Bill. Hon. Members on this side of the House displayed the earnestness with which they desire the abolition of the Coal Dues long before the hon. Baronet himself, or any other person interested in the coal trade, took the matter up. We have no desire in any way to prevent the abolition of the Coal

Dues, but what we do want is to prevent that which we see to be coming—namely, that the Corporation of London shall be enabled to re-enact the dues for a time. We have seen the agents of the Corporation in the Lobby within the last few days in consultation with the hon. Baronet opposite (Sir R. Fowler), and I hold in my hand a copy of a whip delivered this morning for this Motion and signed by two hon. Members of this House, showing that certain hon. Members were informed of what was going to be done, while others were kept in the dark. I think that the hon. Baronet the Member for Barnard Castle ought to explain to the House why it is he has been made use of in regard to this Motion. Our action in the matter is not only in the interest of a right understanding of the question itself, but of the fair conduct of the business of the House. I would recommend hon. Members opposite if they have any wish to preserve their own rights as private Members hereafter to vote with us on this occasion against the suspension of the Standing Orders. The time may come when they may find themselves placed in a position similar to that which we now occupy either by their own friends or by a Government from this side of the House. I do not think it is possible for any private Member to express himself too strongly on this occasion as to the conduct of the Leader of the House in robbing them of the privileges to which they are justly entitled.

*Sir J. PEASE (Durham, Barnard Castle): The hon. Gentleman who has just sat down has referred to me and my connection with the Bill. When the Bill passed the Second Reading stage by a large majority, I entered into stipulations with the First Lord of the Treasury in almost the words dictated by the Chairman of Ways and Means. It was not until a late hour last evening that I received a message from the right hon. Gentleman stating that he would afford facilities for discussing the measure in the manner now provided by the Motion. I arranged very late in the evening that a whip should be sent out on the condition that it was sent to every Member of the House. [*Cries of* "No whip has been received."] Well, I received none myself; but I am told that it was sent this morning to every hon. Member. The question is one which deserves the early consideration of the House, and that is the reason why I urge hon. Members to accept the Motion. On the 5th of July next the old City privileges will revive. On that day the City will have the privilege of levying 8d. per ton on all the coals brought into the Thames, and to some extent the railway-borne coal also. The greatest possible confusion exists in the coal trade in London at the present moment, because dealers will not make contracts owing to the uncertainty which prevails. The Committee will have a free hand in the matter, and the question is so mixed up with the whole trade of the Metropolis and the North of England and the Midland counties that it behoves the House to take the earliest possible opportunity to remedy a state of things which tends to produce utter confusion in an important branch of industry.

Mr. BAUMANN (Camberwell, Peckham): Before we vote for the Motion I think we are entitled to know from the hon. Baronet at what stage of the proceedings, supposing the Motion of the Government to be carried, will the Motion of the hon. Baronet be made; whether, if business permits, before half-past five or six o'clock? I acknowledge that on the Second Reading of the Bill an understanding was arrived at that such a Committee should be appointed; and although I am hostile to the passing of the Bill itself, yet I think if it is to pass it is well to place on record what are the statutory and chartered rights of the Corporation. I believe that a full and free inquiry into this subject will result ultimately in the re-enactment of the dues in relief of the rates of the Metropolis. I shall therefore support the Motion.

*Mr. CAUSTON (Southwark, W.): I would appeal to the right hon. Gentleman to withdraw the Motion. If it is carried to a division and passed, an undesirable advantage will be taken of private Members, and the Government will create a precedent which will be applied to other measures at other times. Besides, it is not wise for the Government to make such a Motion applying to a Wednesday sitting. It

dislocates all the evening arrangements of hon. Members. In addition to this many London Members are absent from town, not knowing that this question was likely to come up for consideration. I should like to see the First Lord of the Treasury act in such a way as to show that he has no desire to take an unfair advantage of the House. I therefore trust that the right hon. Gentleman will withdraw the Motion.

*MR. W. H. SMITH: I am unable to accede to the request of the hon. Member. If time permitted I should have been glad to do so. But a few days only have to elapse before the rights of the Corporation of the City revive. If the Bill which is to deal with those rights is to pass, it must be passed through all the remaining stages in this House and in the other House in order to avert the confusion in trade which has been referred to. Nothing but the extreme urgency of the case would have induced me to take the course I have now taken; and in that connection I may take this opportunity of publicly expressing my regret that I inadvertently failed to give notice of this Motion at the close of business last night. It is, however, absolutely necessary if the Bill is to pass, that this Motion should be adopted in order to admit of the measure being considered by a Select Committee.

*MR. HOWELL (Bethnal Green, N.E.): I think the House will see that something has occurred in regard to this matter, which is not altogether fair to the Members of the House. So far as I can understand, not a single London Liberal Member received a copy of the whip which was sent out. The very limited number of Members who have received it shows, in my opinion, that something has occurred which we ought to condemn. What could be the object of this failure to send such a document to the London Liberal Members? The Motion is a most unfair one, and I think the right hon. Gentleman would be well advised if he withdrew it now and brought it forward some other day. I am sure that such a course would facilitate the business of the House, not only in this matter, but on other questions. I beg to move the adjournment of the debate.

SIR G. CAMPBELL (Kirkcaldy): I beg to second the Motion.

Motion made, and Question proposed, "That the Debate be now adjourned."—(*Mr. Howell.*)

*MR. BRADLAUGH: I trust that the First Lord of the Treasury will agree that hon. Members have a real ground of complaint in this instance, and that he will accede to the suggestion. The difficulty would be easily settled by putting the Motion down for to-morrow or some other early day. I am one of those who are in the position of having received no whip. I never speak for the mere purpose of obstruction, but I feel strong on this matter, and I would join in the appeal to the right hon. Gentleman not to put us to the trouble of a division.

MR. COURTNEY (Cornwall, Bodmin): I must point out that the hon. Member, by moving the adjournment of the debate, has stopped our mouths on this question. I hope the hon. Member will withdraw the Motion.

*MR. HOWELL: I have no objection to withdraw the Amendment.

Amendment, by leave, withdrawn.

Original Question again proposed.

MR. COURTNEY: I am quite sure that no one, and least of all the right hon. Gentleman, can view with satisfaction the proposal to suspend the Standing Orders, because it is certain that he will be moved to take similar action in the case of other Bills. It is suggested that this question should be put down as the first Order of the Day to-morrow. But that would consume a great deal of time; indeed, a considerable portion of to-morrow might be taken up with the discussion. There are, however, several practical reasons in favour of the present course. If the Bill is to be passed at all, it must be got through the House before an early day in July, and if it does not pass a great deal of confusion will arise. I do not think that hon. Members can realize what will happen. The Bill was read a second time on the understanding that a Committee should ascertain whether the City has a moral right to recoup outstanding liabilities. This being the case, I suggested the reference to a Committee in order to hear what the City has to say. The Bill was read a second time on the understanding that it should be referred to a hybrid Committee, and now when

we have got to the point of referring it to the Committee, in spite of that understanding this opposition is raised. It was natural to expect, after what occurred on the Second Reading, that the discussion of the proposal to refer the Bill to a Committee would occupy a very short time. It would not have been a breach of duty to their constituents on the part of the Metropolitan Members to have allowed this Motion to go without discussion. I fail to see how hon. Gentlemen can say there has been a breach of the understanding, looking at the terms of that understanding. Those terms were proposed by myself, and this is what I said—

"I would suggest to the House that instead of refusing to read the Bill a second time, it would agree to the Second Reading, and refer the measure to a Committee which should have full power to hear what the Corporation has to say, to examine into the debt, the purposes for which it was contracted, and the balance outstanding, and see how far the debt is connected with this particular revenue, and what kind of treatment of the debt is necessary, in honour and good faith, in order to satisfy the first claims of the City of London in respect of the revenue. I would suggest that this course could be followed with perfect justice to all parties, and without raising the questions which have been referred to by the right hon. Gentleman the Home Secretary."

That went very much further than a proposal for an inquiry into the legal rights of the Corporation of the City of London. There is something more than the historical right of the City to these dues that the Committee has to inquire into; they have to inquire into the moral right of the Corporation to levy the dues, and to see whether it can make good its claims in relation to the Holborn Valley improvements. That understanding having been arrived at, I think there is no moral objection to this Motion.

MR. PICTON (Leicester): Many of us feel as strong an objection as we can express to this most irregular proceeding. After the acknowledgment of the Leader of the House that he regrets that he failed to give notice last night, the very least compensation that can be made is to put off the Motion until to-morrow. The Chairman of Committees says that if that were done a considerable amount of Government time would be consumed, but let the 12 o'clock rule be suspended. We are quite used to that now. Certainly, in the way I suggest, the Government could recoup themselves for giving up the point now. But if the kind of thing now proposed is to be done, life in this House would become absolutely unendurable. We are only able to survive by the security we possess that business in which we are interested will not be brought on without notice. It is true that the Standing Orders have often been suspended for Government business, but it has always been after due notice given. Few of us have had any notice of the present Motion, and I would urge hon. Members by considerations of what may happen to themselves when they are in a minority not to be collusive in this matter. I cannot imagine anything more prejudicial to the conduct of business than the establishment of bad precedents, and the springing of Motions of this kind upon the House.

MR. KELLY (Camberwell, North): I see no reason why the Motion should not be put down for to-morrow. I myself should have had no notice of this Motion if an hon. Member opposite had not informed me of the fact. I received no whip from the hon. Baronet the Member for Barnard Castle, and I think very few Members did. Many Members who are now absent would have been here if they had known that the Motion was to come on. I share the view of the hon. Member for Northampton that this Motion is establishing a most dangerous precedent. It is not a discussion of half an hour but of hours which will be required at half past five o'clock. Personally I am in favour of these Coal Dues, but I can well understand that some hon. Members opposite would not lose an opportunity of saying a good deal in opposition to the retention of these dues by a corrupt body like the Corporation of the City of London. What will the constituencies of Metropolitan Members think if they find us voting to bolster up the Corporation? I deeply regret that I shall feel bound to oppose this Motion as strongly as I can. The effect of accepting the Amendment would merely be to relegate to the consideration of the Committee the real or imaginary rights of the Corporation.

*SIR R. FOWLER (London): I would point out that the Motion for the Committee has always been prevented from

coming on after 12 o'clock by the hon. Member for Bethnal Green. The hon. Baronet having appealed to the hon. Member, and having failed, was bound to to appeal to the Government, and as the question of the dues must be settled in a little more than a fortnight, it is essential that the Motion should be disposed of at once.

SIR G. CAMPBELL (Kirkcaldy): I bitterly regret that I was misled by Gentlemen on the Front Opposition Bench into voting for giving Tuesdays to the Government, now that they propose to take Wednesday evening. It would be much better that the 12 o'clock rule should be suspended than the half-past five o'clock rule on Wednesdays. But if the Amendment to the instruction is accepted it is likely that the Committee may be appointed without opposition and without any long debate.

MR. WEBSTER (St. Pancras, East): I, like all other private Members, object to the Government taking the time of private Members, but this is a question of great urgency, and it is desirable that the people of London and those interested in the coal trade should know how we are placed after July 5. Therefore I do not think it is the fact as stated by the hon. Member for Camberwell that in voting for the Government we are voting for the City of London. We are voting simply that if the City of London has rights, those rights shall be cleared up. I think that under the circumstances the Government have done the best they could.

*SIR A. ROLLIT (Islington, South): I hope the Motion will not be withdrawn. A great deal of time has been occupied with it to-day, and if it is withdrawn a great deal of time will be occupied with it to-morrow. As one of the few Metropolitan Conservative Members who voted for the Bill, I am bound to say that in that course I was greatly influenced by the suggestions of the right hon. Member for Liskeard on the Second Reading, and I hope we shall now have an opportunity of carrying out the understanding which was arrived at on that occasion.

MR. A. O'CONNOR (Donegal, E.): I must say it is rather disappointing for those who come down to the House with the idea of making progress with the business on the Paper, to find on reaching the House, that time has been wasted in the discussion of a Motion of which no notice had been given. It is very much to be regretted that no notice was given. The Government say it would be disadvantageous to postpone the Bill, but I believe there are means of obviating the disadvantage, and in order to give the Government time to consider those means, I move the adjournment of the debate.

Motion made, and Question put, "That the Debate be now adjourned."—(*Mr. A. O'Connor*).

The House divided: Ayes 63; Noes 113.—(Div. List, No. 143.)

Original Question put.

The House divided: — Ayes 115; Noes 63.—(Div. List, No. 144.)

Ordered, That the Motions relating to the Coal Duties (London) Abolition Bill may be taken, this day, at any hour though opposed, and the Proceedings thereon shall not be interrupted at half-past Five or Six o'clock. But as soon as the said Motions, and any subsequent Unopposed Business, are disposed of, the Speaker shall adjourn the House without Question put.

IRELAND—THE PLAN OF CAMPAIGN AT WEXFORD.

MR. WILLIAM REDMOND: I wish to ask a question of the Solicitor General for Ireland or the Chief Secretary to the Lord Lieutenant.

*MR. SPEAKER: The hon. Member wishes to repeat the question which was not replied to at an earlier period.

MR. REDMOND: Yes.

*THE SOLICITOR GENERAL FOR IRELAND (Mr. MADDEN, Dublin University): Will the hon. Member kindly postpone the question until to-morrow?

MR. REDMOND: I gave notice of the question; there has been time to telegraph for the information, and I am surprised that the hon. and learned Gentleman is not in a position to give an answer.

ORDERS OF THE DAY.

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MASTERS AND SERVANTS BILL. (No. 205.)

Order for consideration of Bill, as amended, read.

MR. G. HOWELL (Bethnal Green, N.E.): I understand that there is an

arrangement to accept the Amendments I have on the Paper.

*Mr. SPEAKER: Does the hon. Member move?

Mr. G. HOWELL signified assent.

Amendment proposed, Schedule, page 8, at end, add—2 Geo. 1, c. 17, Irish; 25 Geo. 2, c. 8, Irish; 29 Geo. 2, c. 8, Irish; 29 Geo. 2, c. 12, Irish, Sections 9, 10, 11, and 12; 14 and 15 Vic. c. 92, Section 16, Sub-section 4.—(*Mr. T. M. Healy.*)

*Mr. MADDEN: I have carefully gone through the Amendment which stands in the name of the hon. and learned Member for North Longford. The 29th Geo. II., c. 12, is, I think, entirely obsolete and may usefully be repealed. The most important of the provisions in question is the sub-section of 14 and 15 Vic., c. 92, but I find that the sub-section in question has been already repealed by 38 and 39 Vic., c. 86, Section 17. There are certain sections of the Statutes of 2 Geo. I. and 25th Geo. II. that are not obsolete. They are in force, and some of them useful, and I could not assent to the repeal of these statutes *in toto*. If the hon. Member will put the Amendment in the form in which I have put it, I will agree to it.

*Mr. SPEAKER: Does the hon. Member accept it?

Mr. G. HOWELL signified assent.

Question put, and agreed to.

Bill read the third time, and passed.

CRUELTY TO CHILDREN PREVENTION BILL. (No. 87.)

Considered in Committee.

(In the Committee.)

Clause 1.

*The ATTORNEY GENERAL (Sir Richard Webster, Isle of Wight): In moving the first Amendment which stands in my name, it is desirable I should say a word or two with reference to the Amendments which I have upon the Paper. I need scarcely say that not only I, but Her Majesty's Government, sympathise most warmly with any proposals for legislation which will put a stop to, and punish people for, inflicting any acts of cruelty upon children. In so far as this Bill does propose to deal with acts of cruelty committed upon children, we most warmly support the measure. At the same time, we have to be most careful that we do not interfere with the legitimate conduct of parents and guardians with regard to children. I am sure the right hon. Gentleman (Mr. Mundella), who takes so much interest in the Bill, would be very sorry indeed, under cover of any Bill of the kind, to interfere with the proper and legitimate control of the parent over the child, and certainly to interfere with anything like the reasonable earnings of children assisting their parents. I have put upon the Paper such Amendments as I thought would prevent the Bill from operating in any way in a harsh manner. I do not pretend that the Amendments will satisfy every one, nor do they indicate that Her Majesty's Government in any way express a definite opinion with regard to the Bill, or that they either directly or indirectly seek to influence the judgment of any hon. Member in this matter. So far as this Bill seeks to prevent acts of cruelty upon children, I am as anxious as anyone to assist in that work, and Her Majesty's Government most heartily endorses any legislation in that direction. Some may say that I have not gone far enough, and others that I have gone too far, but I hope that there will be a fair discussion of any Amendments that may arise. I beg to move the first Amendment that stands in my name.

Amendment proposed, Clause 1, page 1, leave out from the beginning of line 5 to "sixteen years," in line 8, and insert—

(1.) "Any person who, having the custody, control, or charge of a child, being a boy under the age of fourteen years, or being a girl under the age of sixteen years, wilfully illtreats, neglects, abandons, or exposes such child."—(*Mr. Attorney General.*)

Question proposed, "That those words be there inserted."

*Mr. MUNDELLA (Sheffield): In rising to accept the Amendment of the Attorney General, I wish at the same time to make my acknowledgments to him in this House, as I have done elsewhere publicly, of the very considerable attention he has given to the whole question, and of his willingness to meet all the reasonable demands of those who desire to prevent cruelty to children and their excessive suffering and overwork. I can assure the hon. and learned Gen-

tleman that I am as anxious as any Member of Her Majesty's Government not to make these provisions go beyond the reasonable requirements of the case. I feel that it is impossible by any Bills we pass in this House to cover all cases. It is impossible that we can meet every case that may arise of cruelty; but I believe the Attorney General has gone, I was going to say, to the extreme limit of making provisions against any such cases. I think by his Amendments he has taken very good care to protect what in this country we call parental rights. Children have very few rights in England, and by this Bill I am really only anxious that we should give them almost the same protection that we give under the Cruelty to Animals Act and the Contagious Diseases Act for domestic animals. I may be allowed to say, although we are in Committee, that the first promoter of this Bill was the late Lord Iddesleigh, who took intense interest in this subject, and who had a stronger measure in his pocket at the very moment of his death. The Bill has been watered down since that time, and I trust now that with the Amendments of the Attorney General, which the promoters are prepared to accept, we shall make a useful and working measure. I do not think the House has the smallest conception of the appalling cruelties that are practiced upon children, and the hardships they have to suffer. I do hope we shall discuss this matter in the spirit which the Attorney General has indicated. I trust the Amendment will be passed without debate.

Question put, and agreed to.

MR. JOHN KELLY, who had an Amendment on the Paper—Clause 1, page 1, line 5, after "person" insert "of full age," said: I have not the least wish to see any children taken before the Magistrate. No doubt acts of cruelty will unfortunately occur among children; but if the words of the clause were adopted without any qualification, it would apply to the case of a child carrying another child and inflicting some cruelty upon it, for which act, under the terms of the Bill, it would be liable to be dragged before a Magistrate. I take it the object of the promoters is not to prevent cruelty by children, which, of course, is very wrong, but cruelty by parents and guardians and people who have charge and control of children. If the Amendment in my name is not accepted, at least that which is down in the name of the hon. Member for the Crewe Division of Cheshire might be adopted. The Bill has been badly drafted, and certainly could never have been intended to apply to such a case as a child carrying a child or persons guilty of innocent acts for which they would be liable to be brought before the Magistrate.

THE CHAIRMAN: Does the hon. Member move his Amendment?

MR. KELLY: I do not move my Amendment.

*MR. WALTER M'LAREN (Chester, Crewe) submitted the following:—Clause 1, page 1, line 5, after "person," insert "over 16 years of age." I should have moved the Amendment over 18 years of age, but I understand my right hon. Friend (Mr. Mundella) prefers 16 years of age as the limit. I will not attempt unduly to press my view on the House, and, of course, I will gladly accept any modification that the right hon. Gentleman may personally think desirable. As a matter of form, I beg to move my Amendment, "over 16 years of age." I think it is desirable there should be some limit. As the Bill stands it is absolutely without any limit of age.

Amendment proposed, to amend the words proposed to be inserted by inserting the words, "any persons over 16 years of age."

Question proposed, "That those words be inserted in the proposed Amendment."

*SIR R. WEBSTER: I think it is not necessary for me to follow the hon. Member for Camberwell in his criticisms, and I do not think there is any great cause of complaint against the way in which the Bill has been drafted. But I think he touched the point when he says that the Bill would enable one child, say of 12 years of age, carrying another child, and inflicting some cruelty upon it to its injury, to be made the subject of a criminal prosecution. The real question to consider is, what is the proper age? No doubt a lad of 16 or 17 years is capable of inflicting cruelty. Well-

grown girls also are constantly sent out in charge of other children; and it occurred to me that the age of 16 would be a fair compromise of the matter. I would suggest that the Amendment of the hon. Member for the Crewe Division should be accepted—"any person over 16 years of age."

*Mr. MUNDELLA: I accept the Amendment, although there have been very serious cases of cruelty by persons under 16 years — such as burning a child against the bars of the fire, and inflicting unheard-of cruelties.

Mr. PICTON (Leicester): I should like to know whether any clause can be inserted by which the parent of the child could ultimately be made responsible?

*Sir R. WEBSTER: I think the hon. Member has not had time to look at the clause which provides for persons who ill-treat, neglect or abandon or expose a child. We could not go further than that; we could not have constructive crime; there must be a criminal intention, that is to say, wilfully doing some act which will cause the child to be injured.

Mr. BRUNNER (Northwich): Are the cases of girls or boys under 16 years when guilty of cruelty provided for in any other way?

*Sir R. WEBSTER: Certainly; it would be an aggravated assault.

Question put, and agreed to.

Other Amendments made.

*Mr. WALTER M'LAREN moved—Clause 1, page 1, leave out "in a manner likely to cause," and insert "in such a manner as to have caused." The reason I do this is that the subsection is the most vital part of the Bill. It is the one which inflicts the heaviest penalties—six months' imprisonment or a possible fine of £100. It is not merely the punishment that follows directly as the result of neglect; but I believe the Attorney General has an Amendment to Clause 3, which one must take in connection with this part of the Bill, Clause 3 giving the penalty attaching to Clause 1. It is to the effect that if any one over the age of 16 years wilfully exposes, neglects, or abandons a child in such a manner as is likely to cause unnecessary suffering, the child may be taken away from that person and handed over to some near relative, or whatever person the Court may think suitable. That person shall continue to have control over the child, notwithstanding it may be claimed by its parents. And having taken the child away from its parents, the Court may order the parents to maintain it, although the child is given to the charge by the Court to another person. These are most tremendous powers. They are powers only to be exercised when there is evidence of the injury actually having been done. I really think this House is not likely to agree to any such extreme breach of parental rights. We ought to have it perfectly established, not merely that there are some acts which "are likely to cause unnecessary suffering," but acts committed "in such a manner as to have caused." It is really too much to say that the child is to be taken away from the control of the parents, and given to some stranger, merely because some other person, some elder brother or sister over 16 years of age, treated it in such a way as likely to cause it unnecessary suffering. I cannot really conceive that the House desires to see such a law as that. I beg to move this Amendment, and I earnestly hope my right hon. Friend will see his way to accepting it.

Amendment proposed, in Clause 1, page 1, line 9, leave out "in a manner likely to cause," and insert "in such a manner as to be caused."

Question proposed, "That those words be there inserted."

*Sir R. WEBSTER: I think it is not desirable on this clause to discuss the principle of how far the guardianship of the child should be interfered with. That is a matter, when we come to the clause dealing with it, which will require very careful consideration on its merits. I agree that it is desirable that you should see there is substantial evidence of the offence before it is made the ground of a criminal prosecution. But I think the Amendment goes too far, because "in such a manner as to have caused," implies some injury to the child. I also think that word "likely" rather vague, and I would suggest "in such a manner as to cause." That would be a fair compromise.

*MR. MUNDELLA: I could not accept the Amendment of my hon. Friend because this Bill is one to prevent cruelty to children, whereas according to this Amendment the Act need not come into operation until the act of cruelty had been done. Now, the Attorney General suggests words which, he thinks, would meet the case. I have great respect for anything that comes from him on a legal question, but the clause was drawn having reference to the very words of our Act, the Act of 31st and 32nd Vic.

*MR. M'LAREN: I should be glad to accept the suggestion of the Attorney General. It is quite impossible to my mind to dissociate the proposed penalty from the proposed offence, and to say that the child shall be taken away from its parents altogether. I will therefore gladly accept the modification proposed by the Attorney General.

*MR. H. H. FOWLER (Wolverhampton): According to the Amendment crime must be actually committed before any punishment can be imposed. The Bill contemplates prevention of the crime, and surely our desire should be to prevent the improper treatment of children without waiting first to see if the child will be injured by that treatment.

*SIR R. WEBSTER: I do not think I can accept the Amendment. Possibly it would be better to leave the matter as it stands, and I will consider it between this and the Report stage; unless indeed some hon. Member is prepared at once to suggest a form of words which will meet the difficulty.

*MR. MUNDELLA: I am much obliged to the Attorney General for his suggestion, and I hope my hon. Friend will consent to let the matter stand over. I find in another Act the words used are "Likely to be permanently injured."

*MR. BRADLAUGH: But I think you will find in that case that there are some words preceding which limit the operation.

MR. M'LAREN: I withdraw the Amendment on the understanding that the matter will be considered between this and the Report stage.

Amendment, by leave, withdrawn.

Amendment proposed, Clause 1, page 1, line 10, leave out "unnecessary," and insert "unjustifiable."

MR. KELLY: I propose by this Amendment to alter the word "unnecessary." I cannot disguise from myself the fact that this Bill when it becomes law, as I hope it may do shortly, will have to be interpreted all over the country, and the interpretation in different parts will vary considerably. Now I think it would be better to substitute the word "unjustifiable" for "unnecessary." Everybody would understand that word, and without further preface I will move the Amendment to that effect.

*MR. MUNDELLA: Surely the very fact of showing that the suffering is unnecessary will make it unjustifiable.

*SIR R. WEBSTER: I think the word "unjustifiable" would be an unfortunate one to introduce, and seeing that the clause is aimed at the offence of wilfully ill-treating and abandoning or exposing a child I think the insertion of the word "unjustifiable" would almost stultify it.

MR. KELLY: Although I shall not press my Amendment I hope the right hon. Gentleman will consider whether it is not possible to substitute some other word for "unnecessary," in order to ensure that the object of the section is carried out.

MR. BRUNNER (Cheshire, Northwich): The use of the word "unnecessary" in the Cruelty to Animals Act is obviously proper, because we put animals to death for our own benefit. We do not do that with children.

MR. PICTON: When a child has a tooth pulled out that is necessary pain.

Amendment, by leave, withdrawn.

MR. KELLY: I have next to move to insert in Clause 1, page 1, line 10, after "health," insert—

"or who, having the charge or care of a child and being in a state of intoxication, treats such child in a manner likely to cause such child grievous bodily harm, or confines or imprisons such child in a manner likely to injuriously affect the health of such child."

Often a poor wretched woman is seen staggering along the street with a little child in her arms, and unless she is either hopelessly or helplessly intoxicated the position of the police is a difficult one. If he takes her

into custody, and the act has a sobering effect upon her, he gets a rap over the knuckles from his inspector, whereas if she is drunk he probably gets a rap over the knuckles from the magistrate the next morning. It therefore is a most difficult thing for him to decide whether or not he should arrest a woman for being drunk and incapable. The cases in which women reel about the streets with children a few weeks or a few months old in their arms are very difficult to deal with, and I therefore urge on the Committee to accept the Amendment which stands in my name, and which, I think, will meet this difficulty. Again, there is also the case of shutting a child up in a room. It may be provided with plenty of food, and yet, I submit, that the very act of keeping it incarcerated for a lengthened period would be treating it in a manner likely to cause unnecessary suffering and injurious to its health. I do not think unnecessary suffering should refer only to physical suffering. A child incarcerated, as I have pointed out, would undergo considerable mental suffering, and therefore I propose to make such detention an offence under this clause.

*Sir R. WEBSTER: I do not think I can accept the Amendment, at any rate as it is drawn. I cannot see, in fact, why the question of the father or mother being in a state of intoxication when in charge of a child should be introduced at all. I do not think that the fact of being intoxicated would be any answer to a charge, supposing it could be shown that the ill-treatment was wilful. Of course, there may be cases in which the unfortunate woman was in such an advanced state of intoxication that it would be impossible to prove wilful intention; but, at the same time, I think it is undesirable to make what I may call a separate offence dependent upon a state of intoxication. With regard to the second part, I admit that undue confinement is likely to injuriously affect the health of a child, but I think the words of the clause are already sufficiently wide to meet such a case.

Mr. BRUNNER: Are we to understand that the case of intoxication is covered by the clause as it stands?

*Sir R. WEBSTER: I have no doubt of that. I do not think that a person guilty of cruelty under the earlier part of the section would not be able to escape punishment by pleading intoxication.

Mr. H. S. CROSS (Bolton): But supposing that the child actually died from the effects of ill-treatment, caused by a person while under the influence of drink, would not that person be chargeable with the offence of wilful murder?

*Sir R. WEBSTER: I should think that if it were proved the child had died, and there was evidence of wilful ill-treatment, intoxication would not be an answer. As I have said before, I can imagine such a case of intoxication as would make it difficult to prove wilful ill-treatment.

Mr. KELLY: I think it would be better if the Amendment were accepted. I cannot see how wilful ill-treatment, including abandoning or exposing a child, can be wholly excluded from the clauses, and then there is the case of shutting up a child in a room although it may be properly supplied with food. What I believe to be a not uncommon case is for a stepmother or a person of that character to entertain particular dislike or hatred towards a particular child, and to shut it up week after week, and month after month, in a room entirely by itself. Now, I fear that this first sub-section would not touch such a case as that, and for that reason, therefore, I am exceedingly sorry that the hon. Gentleman does not see his way to accept it. Under the circumstances, I have no choice but to withdraw the Amendment.

Amendment, by leave, withdrawn.

*Sir R. WEBSTER: I have to move, in Clause 1, page 1, lines 10 and 11, leave out "or who," and insert—

"Shall be guilty of a misdemeanour, and being convicted thereof on indictment shall be liable, at the discretion of the Court, to imprisonment with, or without hard labour, for any term not exceeding two years, or to a fine not exceeding one hundred pounds, or to both; and being convicted thereof by a Court of summary jurisdiction, in manner provided by the Summary Jurisdiction Acts, shall be liable, at the discretion of the Court, to a fine not exceeding fifty pounds, or to imprisonment with or without hard labour, for any term not exceeding three months, or to both. Provided, That, if it is proved to the satisfaction of the Court that a person so convicted on indictment was interested in any sum of money accruable or payable in the event of the death of the child, the Court may, in their

discretion, increase the amount of the said fine so that the fine shall not exceed two hundred pounds."

MR. KELLY: I wish to draw the attention of the Committee to the fact that under this Amendment it will be possible to punish persons doubly, and therefore I intend to move the omission of the words "or to both." I invite the Attorney General to explain to the House why he proposes to take this course. I think that in the graver cases there should be no fine at all. If a man is fined £50, and also receives three months' imprisonment, surely it would be unreasonable to impose the fine and yet have no power of enforcing the payment of it. Yet the only means of enforcing it would be by prolonging the imprisonment.

Amendment proposed, that the words "or to both" be omitted.

*MR. BRADLAUGH: Is it possible to limit the term of imprisonment in the event of the fine not being paid? Supposing you impose a fine of £50 in addition to a term of three months' imprisonment, it does seem hard that the man should be kept in prison another two years if he is unable to pay the fine.

*SIR R. WEBSTER: I will consider that point.

MR. KELLY: As my hon. and learned Friend undertakes to do that, I will withdraw the Amendment.

Amendment, by leave, withdrawn.

Original Question again proposed.

MR. BRUNNER: I wish, before coming to the point with which the hon. Member (Mr. Kelly) was dealing, to address a few words to the Committee with regard to the matter of punishment. I should like to convince the Committee, if I could, that the infliction of a punishment of two years' imprisonment with hard labour is about the most awful thing a Judge can do. My study of the matter has led me to the conclusion that two years' imprisonment with hard labour is a sentence which will break down the strongest man and permanently injure his health. It seems unwise of us to inflict a punishment which shall limit a man's or a woman's power of earning a living for the rest of his or her life; and in order to bring the matter directly under the notice of the Attorney General, I beg to move the omission of the words "two years" in line 4 of the proposed Amendment, and to substitute the words "one year."

Amendment proposed to the proposed Amendment, line 4, leave out "two years" and insert "one year."—(*Mr. Brunner.*)

Question proposed, "That the words 'two years' stand part of the proposed Amendment."

MR. MATTHEWS: I apprehend that the punishment of two years' imprisonment with hard labour is only intended for offences on the verge of manslaughter But do not let the Committee suppose that the old impression with regard to two years' imprisonment is confirmed by modern experience. The hon. Gentleman will find from the last Report of the Prison Commissioners that it is quite a mistake to suppose that under modern prison discipline a sentence of two years' hard labour is dangerous to health and one under which prisoners break down.

*SIR A. ROLLIT: It is quite evident that such a sentence would only be inflicted in very extreme cases, and certainly in such cases there is very little room for consideration for the offender.

MR. BRUNNER: I know it requires a little courage to move such an Amendment as this, because it exposes one for the moment to the suspicion that he has some tender feeling for those who inflict punishment on children. Having heard from the Home Secretary that under the modern conditions of discipline the sentence of two years' imprisonment with hard labour is no longer so severe as to break down a man for life, I beg to withdraw the Amendment.

*MR. WHARTON (York, W.R., Ripon): Having had frequently to inflict the punishment in question, perhaps I may inform the hon. Member that whenever a man shows any sign whatever of breaking down under it, it is the duty of the prison authorities—of the surgeon of the gaol—to report that such is the case, and the man is immediately taken off hard labour. I quite agree that the sentence is very severe; it is one which very few can undergo. Yet I can conceive cases under this Bill where the treatment of a

child would be most brutal, and where the man or woman inflicting the injury would be strong enough to bear this punishment. In such cases it would be a wrong if such sentences were not inflicted.

Amendment, by leave, withdrawn.

Amendment proposed to the proposed Amendment, after the word "child," insert "and had knowledge that such money was accruing or becoming payable."—(*Mr. Kelly.*

Question proposed, "That those words be there inserted."

*SIR R. WEBSTER: I think the matter might well be left to the discretion of the Committee; but if the Committee wish it, I will raise no objection to the insertion of those words.

*MR. MUNDELLA: How can knowledge be proved?

SIR A. ROLLIT: To prove the scienter, it might be necessary to produce deeds and other documents. To do that there might be great difficulty; indeed, proof of scienter is generally a difficult point.

*MR. W. M'LAREN: I think it is quite desirable in the interest of parents that there should be some limitation such as is proposed.

Question put, and agreed to.

*MR. BRADLAUGH: I beg to move the omission of the words "two hundred" in line 14 of the Amendment, in order to insert, "such sum proved to be so accruing and payable." I presume it is intended to take away from the person accused of the crime the pecuniary inducement which is supposed to lead to the crime, by holding out over his head a fear of having committed a crime. We had the other day before a Committee upstairs an alleged case of cruelty to a child in which the interest of the person accused on the death of the child was alleged to be the sum of £2,000. If it be wise to impose a fine at all, I cannot see the wisdom of limiting it to £200.

Amendment proposed, to omit the words "two hundred pounds," in order to substitute "such sum proved to be so accruing and payable."

*SIR R. WEBSTER: I must suggest to the Committee that they should not accept the Amendment. I have the authority of many of the Judges for saying that there is no matter which gives them greater anxiety than the decisions they have to come to as to the sentences to be inflicted. The case contemplated by the section is a case where the child is not dead. It seems to me that the Committee should make up its mind as to what is the proper maximum penalty for the Judge to inflict. I think it would be a very serious thing to leave this to the discretion of the Judge. It might possibly involve the taking of an account to see what interest was coming to the child.

*MR. BRADLAUGH: I do not quite understand a portion of the hon. and learned Gentleman's answer. He points out that this is a case in which the child has not died. That is so, but the proviso clearly is a proviso with reference to an attempt to cause the death of the child by a person interested in a sum of money accruing on the death of the child. The object of the proviso is to prevent crime by telling the intending criminal—"Although you are entitled, on the death of the child you are charged with ill-treating, to the sum of £2,000, you will gain nothing by your cruelty, because you may be fined the whole amount, and, therefore, honesty is the best policy."

*MR. M'LAREN: I would suggest that instead of leaving out £200, my hon. Friend should add "or such sum as may be proved to be accruing and payable, whichever is the greater."

*MR. BRADLAUGH: I will do that.

Amendment, by leave, withdrawn.

*MR. BRADLAUGH: I now move to insert after £200 "or such sum proved to be accruing and payable, whichever is the greater."

Amendment moved to the proposed Amendment, after "£200," to insert "or such sum proved to be accruing and payable, whichever is the greater."

*SIR R. WEBSTER: That cannot be accepted. It seems to me that we ought to make up our minds as to what is a sufficient amount, and not enter into this kind of discussion. The Committee ought to decide, in my opinion, what is the maximum penalty.

*MR. BRADLAUGH: Of course, if the Attorney General and the right hon. Gentleman in charge of the Bill

think that these words would cause embarrassment, I will not insist on them.

MR. DE LISLE (Leicestershire, Mid.): Would it not be possible to insert words providing that in case of the child dying the fine should be imposed?

*SIR R. WEBSTER: In that case it might be a much more serious offence.

MR. KELLY: I think that a man who is interested in the death of a child and behaves cruelly in consequence ought to have some much more severe punishment.

*MR. WINTERBOTHAM (Gloucester, Cirencester): It seems to me that a fixed money penalty would be very unequal in its operation. This maximum penalty of £200 would, no doubt, be sufficient to take away the temptation to poor people to insure their children's lives, and then treat them with such cruelty as to lead to their death, but it would be no deterrent at all to a person who had insured a child's life for, say, £2,000. Unless, therefore, you are going to say that this most unusual and most terrible crime is confined to the poor, this clause would not meet the case.

*MR. MUNDELLA: My hon. Friend seems to forget that in addition to the fine there is the imprisonment, and that the imprisonment marks the gravity of the offence as well as the fine. I wish at once to say, as the point has been raised, that these offences are not confined to the poor by any means. Some of the very worst cases which have been brought to light have been among the middle classes and among people of wealth.

*MR. M'LAREN: I think after the statement just made by my right hon. Friend we ought to press this matter. If rich people are trying to kill their children for the sake of the money, we had better fine them the whole amount, which they hope to receive on the desired death of their children.

*SIR A. ROLLIT: There is one ground which has not been alluded to and on which I hope this Amendment will not be pressed, and that is that too heavy penalties are apt to defeat their own purpose. If the penalty attaching to the offence were £2,000 in any case, I think the prisoner would too frequently get the benefit of a doubt, and there would consequently be fewer convictions.

MR. ROWNTREE (Scarborough): I trust the view will not be taken that a fine of £200 is a sort of equivalent for a punishment of two years' imprisonment. That would certainly be a very wrong impression to convey to the country.

*MR. BRADLAUGH: There seems to be a strong feeling on the part of many hon. Members that the sense of the Committee should be taken on this Amendment, and I shall, therefore, go to a division upon it.

Question put, "That those words be there inserted."

The Committee divided.

Ayes 78; Noes 135.—(Div. List, No. 145.)

Amendment, as amended, agreed to.

MR. KELLY: I take it the object of this section is simply to meet the case of a man who sends his child out to beg, and I do not understand why you insert the words "actually or under pretence." I may point out that in every case a magistrate to convict must find there has been actual begging or receiving of alms. I cannot but think these words I desire to omit are wholly unnecessary. Even with the omission the sub-section may do an actual injustice, as, for instance, when a child sent out to sell flowers or what not may receive assistance from a person who will not take the article offered for sale. Is that to be an offence for which a parent is to be liable to be dragged through the streets by a policeman; is no consideration to be shown for such a case? As the clause stands no distinction is made between a casual action and conduct that may be considered habitually criminal. I therefore move the omission of the words from "either" to "pretence," and I am not at all certain that in this amended form the clause will not go a great deal further than hon. Members desire.

Amendment proposed, line 15, to leave out from "either" to "pretence," in line 16.

*MR. MUNDELLA: Nothing is more common in vagrancy that the taking of children into the streets for the purpose of singing, taking part in a performance, or selling some small article, but this being merely a cover for begging. Nothing is more deplorable than to

see around railway stations, and other parts of our great towns, a number of young children kept out far into the night under the pretence of selling things, and those who have not paid attention to evidence on the point cannot conceive the cruelty with which these children are treated. Only last week, at Nottingham, the Town Clerk remarked how valuable such a measure of this kind would be to check the practice of sending children out begging under the pretence of selling matches and such things, and who are cruelly beaten if they do not bring home a certain amount of money. It is to meet such cases as these that the words are inserted. I hope the Committee will stand by the words as they are. In some boroughs there are special statutes to deal with these things, and Local Authorities are empowered to make regulations to prevent these things being done. Under the recommendations of the Committee of 1882 on Police and Sanitary Clauses this power was given, and every Session clauses carrying out this object are inserted in local Acts. There are such cases as this I heard of at Nottingham, where a brutal drunken father lived upon the money obtained by his three children in this way. Driven from one town—where a clause such as I speak of was in operation—the drunken, worthless father would proceed to another town where there was no such clause in operation, and continue to live on the proceeds of his children obtained under pretext of selling small articles. One of the boys was a cripple, and carried on the shoulders of the other two proved the most useful member of the family in procuring alms.

*Mr. BRADLAUGH: I would submit to the Committee that though the Amendment cannot be accepted in this form there is a concession the right hon. Gentleman in charge might fairly make in relation to the age of the children. There are many lads of 12 or 13 who, by selling newspapers in the streets, are able to earn a livelihood, and the clause would stop that. But what I especially desire is to address a question to the Attorney General and the right hon. Gentleman (Mr. Mundella). In 1873 a law was passed by the Italian Parliament forbidding the employment of children in vagrant professions, and without troubling the Committee by reading a translation of this law, which I have in my hand, I would ask the Attorney General whether the words of this sub-section prohibiting the employment of any boy under 14 or girl under 16, would touch the case of the Italian *padrones* in this country? It is clear from the evidence taken last year—I am afraid I may not refer to this year's evidence—that a very large number of children are brought over here from Italy by the *padrones*. When the law was passed, the Italian Government suggested that if we would co-operate with them they would be able to stop this white slave traffic, as it has been called. They say it is most mischievous to their country, and I have no doubt it is. The Attorney General, no doubt, is aware that some little time after the passing of the law of 1873, there was a correspondence between the Foreign Office and the Italian Government, and the Italian Government made a suggestion that a similar law should be passed here. The evidence is that these unfortunates, if they do not get ruined entirely, which very often happens, never settle down to any industrial occupation; but when they become sufficiently well off, those who were themselves stolen set themselves to steal other children. I would suggest to the Attorney General that he should look at this Italian Law, and consider how far it is possible to avail ourselves of this Bill, and to introduce a clause to meet the case. The difficulty I suggest is this. First, there is the probability of the procuring being provable against the *padrone* in this country. I am not sure how far evidence of acts done in Italy could be gone into, but it is certain that it would be difficult to get evidence. It might be difficult to touch the *padrone* who reaps the profit under the words as they stand; but if the Attorney General thinks them sufficient, I would not suggest an Amendment that would impede the Bill, but would suggest to the right hon. Member for Sheffield and the Attorney General that now we have a Bill of this character before us, it would be well to meet an evil which has been recognized by both the Government of Italy and the Government of this country, and which is the cause of many crimes and of much demoralization. I would press on the Attorney

General not to accept the Amendment of the hon. and learned Gentleman opposite, as it would take away the only part of the Bill of service; and next I would press on him whether the whole question could not be considered between this and Report.

*SIR R. WEBSTER: The question raised by the hon. Member for Northampton affords a strong argument against the acceptance of the Amendment of the hon. Member for Camberwell; but before I deal with that I would say that the hon. Member seems to have overlooked the words "causes and procures." If the *padrone* remained in Italy and merely sent the children over here, he would not come under the English Criminal Law at all.

*MR. BRADLAUGH: I refer to the *padrone* resident sent here.

*SIR R. WEBSTER: He may have procured the children in Italy; but the word "causes" would cover the continuous act of obtaining the child in Italy and sending him into the street in this country. If there are cases such as those the hon. Member speaks of there is a strong argument for keeping the words in the Bill. If a man procures children for money from their parents and sends them out under colourable employment begging the words should remain as they are. If they are still considered insufficient I will look into the matter before Report.

*MR. BRADLAUGH: The children are collected not by the *padrone* but by others, and the *padrone* lodges them and provides them with instruments, which are falsely called "musical," which they use in the streets. But there is no evidence to be obtained from any one but the children to prove that the *padrone* induces them to go into the streets. The children seem to like this life, as they obtain money more easily than they do in their own country. It is a little doubtful whether it comes within the clause at all.

*MR. WHARTON: Might not the words be so construed by a well-intentioned magistrate as really to defeat some of the principal objects that the framers of the Bill have in view? It appears to me that the words of the section are dangerous. A child may go into the street with newspapers or something else to sell with the most honest intention. If it become a misdemeanour on the part of the parent to allow such a thing it may be a great hardship. I know that such is not the intention of the framers of the Bill, and I want the hon. and learned Attorney General to see that the words are so altered as to prevent this injustice.

*SIR R. WEBSTER: If I thought the clause open to the construction put upon it by the hon. Member for Ripon I should oppose it as strongly as possible. I have already expressed an opinion very strongly on the question of children being allowed to sell, and I did not expect the present question to be raised at this point. I knew that a substantial discussion on the subject would arise on the next sub-section. I understand the clause to deal with the case of a child in the street actually begging or receiving alms, and doing so under the pretence of selling things. The cases put by the right hon. Gentleman ought to be considered, such as those of children outside stations pretending to sell matches, or something else, but begging all the time. Of course, if hon. Members can suggest any phrase that will make the matter clearer I shall be glad.

*MR. H. H. FOWLER: I put the same construction on the sub-section as the hon. and learned Attorney General. The evil which the hon. Member opposite (Mr. Wharton) wants to guard against seems to me to be entirely dealt with under Sub-section 3. I am not prepared to say that artistically the words are very happily chosen, but I take it that begging or receiving alms governs the whole thing. The hon. Member asks what was the meaning of begging or gathering alms. He is a very experienced magistrate, and I am sure that for many years he has been administering the Vagrancy Act, which contains these words.

*SIR R. WEBSTER: I think we shall be able to make some improvement in the wording of the clause even before Report. The words "either actually or" seem to me to be awkward, and I would suggest that the clause should be amended so as to read "causes or procures any child, &c., to be in any street for the purpose of begging or receiving alms whether under the pretence of singing," &c.

*Mr. MUNDELLA: I at once accept the suggestion of the hon. and learned Gentleman.

*Mr. WHARTON: I do not think you will find that in the Vagrancy Act begging or receiving alms is coupled with actually offering for sale. What I call attention to is that here we have offering for sale, which is a legal act, made a penal act.

*Mr. M'LAREN: There is this further difficulty—that even under the Amendment of the Attorney General it does not follow that the child would be begging. The child might be *bonâ fide* offering things for sale, and yet it might be the opinion of the magistrates that it was sent out with the intention of begging. We ought, I think, to guard against leaving it to the magistrates to say what the intention of the parents was, and merely let them decide what the child was actually doing. It would be well to insert after the word sale, the words "while actually begging." This would protect children really selling.

Mr. KELLY: I withdraw my Amendment.

Amendment, by leave, withdrawn.

*Sir R. WEBSTER: I move to leave out "either actually or" and to insert "whether."

Amendment to leave out "either actually or," in page 1, line 16, and insert "whether," put, and agreed to.

*Mr. M'LAREN: I beg to move the omission of the words "offering anything for sale." As the clause at present stands a policeman might say that although the child was merely offering for sale, he was convinced from what he knew of its parents that it was sent out for the purpose of begging.

Amendment proposed, Clause 1, page 1, line 16, leave out "offering for sale."

*Sir R. WEBSTER: I think we ought not to anticipate the discussion of Sub-section 3. I do not think the hon. Member need be under any misapprehension on this point.

Amendment, by leave, withdrawn.

*Sir R. WEBSTER: I beg to move, at the end of Sub-section 2, to insert the words "or otherwise," instead of "or other pretence."

Amendment put, and agreed to.

Mr. KELLY: I beg to move to leave out from "or offering." in line 23, to "profit," in line 24. Unless it was intended to drive hundreds of poor people into the workhouse or the gaol I cannot understand how this sub-section was framed in this way. It provides that any person or persons who procures or procure a child to be in any street between 7 p.m. and 7 a.m., during the six winter months, for the purpose of offering anything for sale or for any other purpose, shall be guilty of a misdemeanour. I cannot help remarking that those who framed this sub-section can know very little of the poor. To prohibit children between 9 p.m. and 7 a.m. in summer, and between 7 p.m. and 7 a.m. in winter, from offering things for sale would be a cruel blow to the honest poor and an advantage to the bad poor. The sub-section would prevent poor people from getting a drop of milk for their breakfasts. The milkman has to send his boys out as early as 5.30 for delivery to his customers, and it would be monstrous to send the father or mother of such boys to prison for six months for doing what the necessities of the business requires. It is hard on a father or on a poor widow who has made every sacrifice for her boy till he is 13, to be deprived of his help in eking out a scanty livelihood. A boy would not be able to sell newspapers in the streets after 7 o'clock under this Bill. I will read you part of a letter written to a Member of this House by a woman who, I am sorry to say, is a bitter Radical, but who, at any rate, has some knowledge of this sort of thing. This is what the writer says:—

"I am 31 years of age, and commenced to work on September 9, 1868, being in the streets to fetch the papers I sold as often as early as 5.30, and as late as 10 p.m. But it was necessary I should so work; for although, like thousands of poor women, my mother herself worked 15, 16, and sometimes 18 hours daily, her earnings were not sufficient to keep our home together, and so far from feeling I was hardly dealt with, I felt very proud when on Saturday evenings I used to stand in front of our little four-roomed cottage and know that it was my earnings that made it our home."

This is no uncommon case. In the poorer districts of Walworth and the East of London there are scores of cases in which boys, by their work in the streets in the mornings and evenings, are keeping their homes together. There

is in this neighbourhood a poor little cripple who is a shoe-black. It is about the only occupation the poor lad could follow. On what principle is he and are others like him to be prevented from working? I hesitate to believe that the House can ever think of passing a clause of this character, which would be of the greatest possible advantage to the bad poor and of the greatest disadvantage to the honest poor. Let me give another instance. I will take the case of a costermonger. I know a good many costermongers—in fact, I represent them. It is true that they have no homes, but they have votes. I know something of their habits; they may be rough and sometimes drunken fellows, but they are not bad on the whole, and I would ask how does this clause affect the man who writes:—

"My boy has passed the Sixth Standard; I want nothing of him except one night in the week, when it is necessary that I should have him."

Does any hon. Member here know the habits of the costermonger, the better class of whom is the man who sells flowers and fruit in a cart or barrow, and who has an animal—perhaps a donkey, or, it may be a pony—to draw it about, it being necessary that there should be some one to look after the animal while he is selling his wares. It is requisite that he should have a boy to lead the animal about, and for this purpose he only needs assistance one or two days in the week. Again, let us take the case of the lower class of costermongers—the man who does not hawk his goods about, but has a stationary barrow. This man cannot get on without help, and it may be that while his boy of 13 is selling papers, his girl stands and solicits passers by to purchase vegetables, and the mother is at the back preparing the vegetables for sale. Why should it be assumed that this sort of light labour does so much harm to the children? Can it be such a terrible thing for a boy to be kept up until 11 or 12 for one night in the week? If this were habitual, it would doubtless be worse for young people and their morals; but I venture to think that a girl of 15 might be out in the streets at night under more dangerous circumstances than when assisting her parents to earn the family living. Indeed, so far from its being any hardship for the children to help their parents on a Saturday night up to a late hour, it is one of the greatest pleasures of their lives. I do not wish to overload the case I have made out on behalf of my Amendment, which is that the words "offering anything for sale, or any other purpose of profit," be omitted from the clause. Hon. Members will notice that the clause refers to "any street," and there is a definition of the word "street" in the 8th clause, so that it is obvious that by keeping out of any street a man may keep his children out selling goods to a very late hour. Therefore, if any one will let a boy or girl stand inside any place along the street the clause may be easily evaded. To my mind there is no question that under this clause as it stands the greatest injustice would be done to the honest and hard-working poor, the meaning of the words I propose to omit being that not only will a boy under 14 be prevented from selling anything in the streets before seven, but according to the phrase, "or any other purpose of profit," he would not be allowed even to black a pair of boots where payment was involved. I beg, Mr. Courtney, to move the Amendment which stands in my name.

Amendment proposed, in page 1, line 23, to leave out the words from the word "profit" to the word "between," in line 24.—(*Mr. John Kelly.*)

Question proposed, "That the words 'or offering anything' stand part of the clause."

*MR. MUNDELLA: After the speech just made by the hon. and learned Gentleman, I will only detain the House for two or three minutes by the reply I shall offer. The hon. and learned Gentleman has talked about the position of the poor, and has insinuated that if I and other hon. Members of this House were better acquainted with the habits and occupations of the poor we should have more sympathy with them, and, therefore, would not support this clause. Now, although I do not like to obtrude my own experiences too much upon the House, I very much doubt whether there is any hon. Member who began work as early as I did, my labour having been commenced at the age of nine and a half years; consequently, I think, there are very few who can have the

same acquaintance with the necessities of the poor in regard to the employment of their children. I may also say that I should be the very last Member of this House to put any limitation on the training of the children of the poor to habits of industry, and the duty of assisting their parents to the utmost of their power; but when the hon. and learned Gentleman objects to this clause and says it will drive boys from their employment, and fill the workhouses, and prevent milk being delivered before seven o'clock in the morning, I am surprised that a Member of the learned profession should have made such a mistake. The clause will not prevent the delivery of any article before seven in the morning; but it will prevent hawking and offering for sale before that hour.

MR. KELLY: Does the right hon. Gentleman mean to say that the poor order their milk?

*MR. MUNDELLA: The milk is delivered. I would point out that the Attorney General proposes to extend the hours in which children may be employed, and I am to some extent prepared to meet him. Does the hon. and learned Gentleman know that there are local Acts authorizing the very same powers as are here proposed in various boroughs throughout the country. In the year 1882 a Committee of this House presided over by Lord Basing—then Mr. Sclater-Booth—considered the matter, and reported that the clause for the protection of children against being sent out to hawk newspapers and other things in the streets was taken from the Scotch Education Act, and was working well in Scotland, where it is in operation now, and the Committee drew a model clause which they recommended should be inserted in the Bills applicable to the different boroughs throughout the country. The result has been that during this Session, Swansea, Norwich, Stockton-on-Tees, Cheltenham, and other boroughs have adopted these powers. In the Swansea Bill it is enacted that no child of the age of 13 shall be employed in any casual employment before eight in the morning and after six at night in the summer, or between eight at night and six in the morning in the winter months, casual employment being defined as "any purpose of gain, or vending or exposing for sale any article." It also defines employment by enacting that parents sending children into the streets for purposes of gain shall be deemed to have taken such children into their employment. I would ask the hon. and learned Gentleman how does he account for the fact that 86 of the principal boroughs in the United Kingdom have petitioned in favour of this Bill, and that a number of Corporations, that of my own constituency included, are most anxious that it should be passed? The hon. and learned Gentleman seems to think that children under 14 would be deprived of employment——

MR. KELLY: I would begin at 12.

*MR. MUNDELLA: It would be better to begin at 13. Under the Workshops and Factories Act the employment of children is limited, and if this is so in workshops and factories why is it that the hours from six in the morning till 9 or 10 at night are not sufficient for children selling articles in the streets. I am certain of this—that there is not a shadow of pretence for what the hon. and learned Gentleman has said about interference with the poor. In Newcastle there are more than 700 children employed in the streets, every one of whom has been traced to his home, the result being to prove that it is not poverty—not honest poverty—which exposes them from five in the morning till 10 or 11 o'clock at night, but in 99 cases out of 100 rather the drunkenness and depravity of the parents. It is to save these children from the cruel consequences of moral evil and physical disease, and from being brought up in a weak and miserable condition, because cruel and unnatural parents are allowed to live by their exposure, that we ask for this Bill. Is there any reason why children should be kept up selling daily papers in the streets after nine at night? Is not that hour late enough? But the Attorney General proposes that it should be 10 o'clock; and I put it to the House, do hon. Members think that children of tender age should be exposed in the streets after 10 at night? I do not care so much about the morning; if seven is not early enough in winter begin at six, and if six is not early enough in summer make it five; but with regard to the night time, it is not only the evil done to the boys, but it

is the temptation to the girls that has to be guarded against. It is strange, if the hon. and learned Gentleman is right, that so many boroughs should be asking for these powers and obtaining them in special improvement Acts. What is wanted is uniformity of the law. Why should these powers be given in some cases and not in others? As it is, there is an inducement for parents to take their children from towns where these powers exist to others where they are not in force, and therefore it would be for the general benefit of the country to make them uniform. They have been in operation throughout Scotland for the last 10 or 11 years, and every year lately we have passed a number of Acts conferring such powers on different localities; and I trust that in consequence of the fervid and imaginative appeal of the hon. and learned Gentleman opposite, who has not had the experience I have had, this House will not hesitate in endorsing what this Bill proposes for the benefit of the rising generation. I constantly hear both from foreigners and Englishmen who have been travelling abroad that they are utterly ashamed of the exceptional degradation of children to be witnessed in the large towns of England; and I could, if necessary, quote statutes which are in force in all parts of Europe, under the operation of which anything so bad as is to be found in our English towns is entirely prevented.

MR. GEDGE (Stockport): I am not in favour of the Amendment before the Committee, and I hope the clause will be passed with the Attorney General's Amendments. I think the Committee has been unintentionally misled as to the effect of the model orders referred to and the Act already in operation, for these make exceptions in favour of children under 14 who have obtained certificates that they can read and write and have an elementary knowledge of arithmetic.

*MR. MUNDELLA: The model clauses which were at first drawn restricted the employment of children to those under 14 or who had passed the 5th Standard, and the Scotch law provides that no child shall be employed at the hours named until he has passed that standard, or attained the age of 14; but the model clauses have since been amended.

*MR. H. J. WILSON (Holmfirth): I should like to point out that the enactments to which the right hon. Member (Mr. Mundella) has referred, deal with casual employment only, and apply to much younger children. But we are now asked to forbid regular work, if in the street, for any purpose of profit. The definition clause says a "street" is a highway. This strikes at very many proper employments. For instance, it will prevent a farmer's boy from driving a cow on the road before seven in the morning. I should be glad of some explanation on this subject, as I think there must be some misunderstanding upon it, or I have entirely misread the clause.

*MR. PICTON: I think there must be some misunderstanding as to the precise meaning of this clause. We are not now discussing any matter of detail, but the omission of a whole passage, and I hope the Committee will not agree to so sweeping an Amendment as this. I hope, however, the clause may be amended by provisions as to particular times of the day, and also with regard to public streets. In ten of our largest towns of England—namely, Manchester, Bristol, Birmingham, Leicester, Nottingham, Sheffield, Liverpool, Newcastle-on-Tyne, Hull, and Swansea, there were recently in operation by-laws containing powers very similar to those provided by this clause. It is true the ages are slightly different, but the general scope of the by-laws is precisely similar to what is here proposed. In Liverpool no child under the age of nine years might sell or offer for sale any article whatever in any of the streets or other places, and no child under 13 might offer goods for sale between nine in the evening and sunrise of the following day. There was a case raised in the higher Courts of Law in 1887, in which it was ruled that the powers given to these boroughs of which I have spoken were conferred only for the regulation of the street traffic, and that these by-laws were therefore *ultra vires*. But the existence of these by-laws for some time showed that they were supported by public opinion. I believe that the only inconvenience created by the exercise of such powers is that which is felt by those who ought to suffer inconvenience, —namely, the dissolute parents who seek

to live by the work of their children. This House ought to be careful not to encourage such a subversion of the relations between parents and children as this. We continually hear of appeals made to magistrates to allow men and women thus to take advantage of the labour of their children; and although there may be differences of opinion as to the age at which children may be employed, this House ought, at all events, to lay down the rule that it is the parents who should maintain their children, and not the children who should maintain the parents.

*Mr. J. MACLEAN (Oldham): I think there is a danger which this House incurs—namely that out of mere tenderheartedness, when measures of this kind are brought before us by well meaning Members, we may be induced to agree to legislation which will inflict greater cruelty on children than the legislation is intended to suppress. It has struck me as singular that no one—not even the right hon. Gentleman in charge of the Bill—has suggested what is to become of the children now employed in the streets when they are cleared out of the public thoroughfares and prevented from earning what little money they now obtain. Suppose the parents are frightened by this Bill, if it become law, and should not send their children into the streets during the prohibited hours, the result will be that the children will be kept at home, and the idle and dissolute parents who will not be receiving money from them will treat them more cruelly than is the case now. It is, generally speaking, only on account of the money they earn that they receive any kind treatment at all, and as a rule the children are much better off in the streets, where many of them show that they are honestly disposed by the diligence with which they try to earn money, than they would be in the wretchedness and squalor of their parents' home. The right hon. Gentleman the Member for Sheffield (Mr. Mundella) has told us that he himself began to work very early as a child and that he worked very hard, and the right hon. Gentleman is not a bad example of the results of such a training; but it is impossible to disguise the fact that there is a great deal of danger to be apprehended from the overstraining of philanthropic sentiment which we see in so many measures that are brought before this House. For my part, I shall vote not only for the Amendment of my hon. and learned Friend, but against the clause altogether, as it seems to me to be a perfectly unnecessary interference with freedom of trade and with individualism in this country.

*Sir R. WEBSTER: I only rise to point out that the Amendment is unfortunately framed. I think, however, that this clause requires careful consideration, because as it stands it would not effect the object desired. The words "or for any other purpose of profit" ought to be considered separately. At present I do not see what useful purpose those words can serve. With regard to offering for sale, we ought to consider whether there is a necessity for children being employed between 10 at night and 5 in the morning. If there is a necessity, I do not think we ought to take away the power at present possessed by parents. My own opinion is that there is no such necessity. It might be, however, that this matter is one which must be considered locally.

*Mr. H. H. FOWLER: I think that this Amendment raises a question of principle as well as a question of detail, and we must not confuse one with the other. We must not mix up our objections to the principle by looking into the details of the proposal. The Attorney General asked us whether there was any grave necessity for prohibiting children selling at this time of night. I think the best proof we have of this is that a large number of the principal towns of England have passed bye-laws prohibiting sales by children in the streets during certain hours. These bye-laws were held to be *ultra vires*, and then, when various municipalities came to Parliament to ask for powers to enforce them a Committee, under the presidency of a gentleman who would not be led away by sentimental opinions, and who is a thoroughly sound and practical statesman, of great experience in the administration of the Poor Law—I refer to Mr. Sclater-Booth, now Lord Basing—recommended that towns should be allowed to insert prohibitory clauses against the casual employment of children. As a rule, the casual employ-

ment of children is prohibited between the hours of ten at night and six in the morning in summer, and eight at night and six in the morning in winter. Now, I should like at once to point out the question of principle which is involved in this matter. I deny the right of any parent to live upon his child. I deny the right of any father or mother to live upon the earnings of a little child, whatever the consequences to the individual or to the community, and that the community has a higher interest to be gained by putting down the existing system. It is not the industrious parent who will be affected by this Bill, it is the worthless, drunken, dissolute parents who live upon the earnings of their little children. Some people object to the ages which it is proposed to fix. Now that is a question of detail, and I am not prepared to express any opinion upon details. But the principle is that no parent should be allowed to live on the earnings of his child. I say that this House has for a long succession of years claimed for itself the right to limit the hours of labour of children. I do not know whether hon. Members have read their newspapers this morning, but if they will look at them they will find a letter written by a distinguished Member of the Government, in which he claims for the party to which he belongs that they advocated restrictions in regard to the labour of children which were embodied in the Factory Acts. If you limit the labour of children in factories to 10 hours why should not you also limit the labour of children hawking in the streets to 14 hours? My right hon. Friend tells us he is prepared to accept the Amendment that a child shall not work more than 14 hours a day in one portion of the year and more than 12 during another portion. If you admit the principle—a principle which I hope you never will admit—that parents have a right to live upon the earnings of their children, surely 12 hours a day is ample for the children to labour. I hope my hon. Friends who especially represent the interest of labour in this House will defend the interest of the labour of little children. The hon. Member who spoke just now drew a delightful picture of a family party working in the streets; of the children cutting up the greens at the back of the stall and the parents selling them, and he told us that these little children found these Saturday night sales of vegetables to be the happiest periods of their lives. There may be some truth in that, but it is an exceptional case. What we really want to deal with is the case of those wretched little children who are sent out into the streets in rain, snow, and cold, at late hours of night, to sell newspapers and matches, and, in fact, to appeal to the humanity of the passers-by, who buy of the children because they are fearful that they will be subject to brutal punishment if they go home without having earned a sufficient amount of money to satisfy their dishonest and brutal parents. The thing is how to put a stop to these practices; the hon. Member opposite says it is better for these children to take something home than to be subjected to the cruelty to which they are liable. Perhaps in individual cases that is so; but what we want to do is to strike at the root of the evil, and to put it out of the power of parents to be able to send their children out in order to obtain this money. I reserve entirely my opinion as to details, but I do appeal to the House to lay down the sound principle in this matter, and I quite agree with the suggestion of the Attorney General that it would be unwise to make this a matter of local legislation. Remember that 86 boroughs have petitioned in favour of this legislation. There is no case in which any municipality has petitioned against. If a child is to be protected in Birmingham it should also be protected in Manchester, and if it is to be protected in Manchester it has an equal right to be protected in Sheffield.

*MR. MUNDELLA: I may say at once that I shall be prepared to omit the words "or for any other purpose of profit," as they seem to have a rather ambiguous meaning. When we come to the question of ages and hours I shall be quite prepared to discuss the Amendment of the Attorney General and to debate the point as to whether there should be any prohibition of employment other than the restriction preventing children from working between the hours of ten at night and five in the

morning. What we desire is that children should not be allowed to work during late hours of night.

MR. LEES (Oldham): My right hon. Friend the Member for Wolverhampton tells us that we are going to divide on a question of principle. Now let us understand what that question of principle is. I believe here presents a great industrial constituency and that thousands of his constituents send little children out to work half time. Are we going to stop this being done? That is exactly the principle involved.

*MR. H. H. FOWLER: I said that the principle upon which we were going to divide was that of the restriction of the hours of labour for children.

MR. LEES: I think that the right hon. Gentleman distinctly denied that any parent had the right to live on the earnings of his children. If the right hon. Gentleman means that no parent has the right, providing he is in good health, to be entirely sustained by his child I heartily agree with him. But that is not the principle which the right hon. Gentleman is laying down. If the parent be a drunken dissolute man, he should certainly be prevented from sending out his child in order to obtain money on which the family may live. But I think a great hardship would be inflicted in the case of a man who is doing his best to maintain his family if he is prevented sending out, say a strapping lad of 13 who has passed the School Board Standard, to help to contribute to the weekly wages.

*SIR R. TEMPLE (Worcester, Evesham): I think I ought to say a word or two on this subject of street sales by children. The House may be aware that the children of London are now earning thousands, aye, tens of thousands of pounds every year by a little work done out of school hours, and the School Board of London is now encouraging these children to put their earnings into savings banks. Indeed, these banks have some tens of thousands of pounds earned by children and deposited in this way. The real question is that they should not pursue this calling too late at night or too early in the morning. I submit to the House that under the clause of the Bill now under discussion a fair allowance of that kind is given. Under this clause a child may, on leaving school, take his little tea—though I fear he seldom gets such refreshment—and then work for two or three hours, and then take supper before he goes to bed. Again, he may work for two or three hours in the morning before going to school at nine. That is as much as a child ought to do out of school hours consistently with a fair share of rest at night. And therefore the only question is whether the hours of restriction should be, say from eight at night to five in the morning, or nine at night to six in the morning, with an average of nine hours for rest. I must say I think there is great force in what has been said by the right hon. Mover of the Bill (Mr. Mundella). He said these children had better work early in the morning than late at night. If it is thought desirable that children should be up between 5 and 6 o'clock in the morning, then the hours beyond which they should be restricted from selling in the streets should be from 7 to 8 in the evening. These are, of course, matters more or less of detail, and I do not for my own part see why such matters should not be settled by bye-laws fixed by the localities in which the law will operate. At the same time, with due regard to what has fallen from the right hon. Member for Wolverhampton on the one hand, and my hon. Friend the Member for Oldham on the other hand, I desire to give a general support to the principles so ably explained and so eloquently enforced by the right hon. Gentleman the Mover of the Bill.

MR. WALTER JAMES (Gateshead): I should like to ask why premises licensed according to law for public entertainments have been omitted from the operation of the clause. For unless children——

THE CHAIRMAN: Order, order!

MR. W. A. HUNTER (Aberdeen, N.): I wish to raise the question already alluded to by my right hon. Friend the Member for Sheffield with reference to the law as it now exists in Scotland. The existing law in Scotland was settled very carefully after much consideration in the year 1878; and, I believe, the public will be surprised to learn that acts which are expressly authorized by the Scotch Act of 1878 would, if committed under this Bill, constitute misdemeanour, punishable by six months'

imprisonment. The Scotch Act differs in several important particulars from this Bill, and I shall have great difficulty in voting with the right hon. Gentleman unless I receive an assurance that he will limit the application of the Bill within the four corners of the Act of 1878. Now, this Act places absolute limitation on the employment of children under 10 years of age; between the ages of 10 and 14 there is no limitation with respect to the occasional employment of children who hold the certificate of elementary education. The Bill of my right hon. Friend entirely does away with that most important provision, and I cannot vote for it, unless I receive an assurance that he will be prepared to limit the operation of the Bill in a manner consistently with the Act of 1878. If he is not prepared to do that, I am afraid the Scotch Members will be obliged to oppose the Bill. There is another point to which I should like to draw the attention of the right hon. Gentleman. In the Scotch Bill there is no provision made with regard to the hour of labour in the morning, and I think it is quite sufficient that the provision should be confined to fixing the hour, after which children shall not be allowed to labour at night.

SIR W. HARCOURT (Derby): I understand that the Amendment of the hon. Member opposite raises the question of whether there shall be any restriction at all, and that is a point on which we are about to divide. Now I am strongly in favour of making a restriction within certain degrees upon hours, therefore I shall vote against the Amendment of the hon. Member. It is very difficult indeed to fix hours which are suitable for all places, and I would ask the right hon. Gentleman and the Attorney General to consider whether it might not be possible having determined that the sales shall be limited to certain hours to give the Local Authorities power to fix the hours within their respective districts. It would be possible to introduce into the clause such a provision, and to add a definition clause describing what the Local Authority is to be in particular places.

*SIR R. WEBSTER: I may point out that it would be somewhat difficult to insert in this Bill a provision giving Local Authorities such powers as are suggested by the right hon. Gentleman the Member for Derby, for it would require that the Bill should be re-cast and that might endanger its being carried into law this Session. But if the House agree that the hours of labour should be restricted and that children should not be allowed to work between the hours of 10 at night and five in the morning it might be possible to insert in the Bill a proviso to enable the Local Authorities to extend these words if necessary, and that would meet exceptional cases.

*MR. BARTLEY (Islington, N.): The right hon. Gentleman said that we were going to divide on the Question whether or not we shall restrict the hours of labour which children may work in the streets. I venture to say that this is not the case. The real fact is, that the children assist their parents in the streets of an evening, and especially on Saturday nights during the few hours when the poorer classes especially do their trade. If you restrict them to any particular hour you do away with a source of employment to the parents in the street during the only time when they can earn money. I quite agree with the right hon. Member for Sheffield that the early morning is a better time for working than the evening. But we find unfortunately that the poorer classes do their shopping in the evening, and if we prevent children from being employed after 10 on Saturday night, I fear you will inflict a great hardship on the poorer parents. The evil is shopping at late hours; but still the fact remains, however much it is to be regretted. And I repeat that, if you suddenly or unreasonably interfere with the habits of the people, you will lay a great hardship on a number of them.

MR. AMBROSE (Middlesex, Harrow): I think the issue before the House is not so much whether or not restrictions should be placed on the employment of children, but whether the parents of the children, who might be employed during prohibited hours, are to be converted into criminals; because offences against the Act will be punishable with a heavy fine or long imprisonment. I accept the view of the right hon. Gentleman the Member for Wolverhampton that no man has a right to live on his child; but on the other hand, if the child is able to earn a little

money he should have the right to do so if he chose.

MR. W. H. JAMES: I think it is exceedingly difficult to define the principle on which we are going to vote. You have excluded from the operation of this clause children not employed in the streets, but, for my part, I think there are many painful exhibitions in which children are engaged in places of public amusement in our large towns, and I think their case requires dealing with. Now, I represent one of the most prolific boroughs in the North of England. You find philanthropic and kindly people are horrified by these poor children scantily clad selling in the streets these small articles. I think it is better that these mothers should be dealt with by local legislation rather than by one general statute.

*MR. W. M'LAREN: The prohibition which the Committee is about to pass will be a total prohibition of children offering things for sale during certain hours.

*MR. MUNDELLA: During the night.

*MR. W. M'LAREN: But there are many cases in which a child's labour is really necessary for the support of the family. It is not a question, as the right hon. Gentleman the Member for Wolverhampton says, whether the child is to support the parent, but whether the work of the child in selling in the street is necessary to help the father in case, for instance, of sickness. What I wish to see done is to stop dissolute parents from using their children to beg and sell for them, but not to interfere with those genuine cases where a child's labour in the streets is really needed to keep up a home.

Question put.

The Committee divided:—Ayes 214; Noes 79.—(Div. List, No. 146.)

*SIR R. WEBSTER: The object of the Amendment I now move is to fix the prohibited hours at from 10 p.m. to 5 a.m. in the summer and 8 p.m. to 5 a.m. in winter, instead of 9 p.m. to 7 a.m. in summer and 7 p.m. to 7 a.m. in winter as they stand in the Bill. Assuming that the Committee are disposed to accept the Amendment, I will undertake that there shall be a proviso inserted, giving power to Local Authorities to alter the hours within those limits.

Amendment proposed, Clause 1, page 1, line 24, leave out 9, and insert 10.—(*Sir R. Webster.*)

Question proposed, "That '9' stand part of the Bill."

*MR. MUNDELLA: I readily assent to the Amendment on the understanding that some proviso is drawn up subsequently which shall allow the Local Authorities to work within the limits specified.

MR. KELLY: Do I understand that we shall have clauses inserted in the Bill which will give Local Authorities absolute power to work within the limits of these hours or to work irrespective of these hours? Ten o'clock in London on a Saturday night, for instance, is not sufficiently late. If it is a wet night, I venture to say that children sell far more after 10 o'clock than before. We have no wish that the poor children should work a long number of hours. We should be very glad if you limited the number of hours worked to four or five, but we think children should have liberty to work at the particular time when their work is most profitable. If I am to understand that a hard-and-fast limit is to be made, my only course will be to move the rejection of the clause. It is not for me to say what is the utmost the poor people require; I do not profess to have exact knowledge of the poor; but I want the Local Authorities to have power to vary the hours according to the varying circumstances of localities, and nothing more nor less will satisfy the requirements of the poor. It is most lamentable that the people of London have got in the habit that they cannot go out and buy their goods at a reasonable hour. In such neighbourhoods as Walworth and Old Kent Road the main part of the buying and selling by the poor people is unfortunately done on a Saturday night after 10 o'clock, and therefore do not let us have a cast-iron rule which will prevent a child working one minute after that particular hour.

*MR. ISAACS (Walworth): Following up the argument of my hon. Friend, I would suggest the desirability of postponing the further consideration of this clause until we see the proviso it is proposed to insert. I cannot help thinking that if the Bill passes without some reference to the special localities in

which these trades are carried on, a large amount of hardship will be inflicted. It is only due to the Committee they should have all the facts in their possession before they are asked to legislate. I regard this clause as the crux of the Bill, and accordingly I beg to move that the Chairman do report Progress.

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."

*MR. MUNDELLA: At this hour (5.20) I cannot oppose the Motion to report Progress, but I think we might put in the hours and bring up the proviso afterwards.

*SIR R. WEBSTER: As the Amendments I have proposed are in favour of limiting the hours, we could not do any harm by accepting them. Certainly the discussion on the proviso would not be prejudiced by the acceptance of the Amendment.

SIR R. LETHBRIDGE (Kensington, N.): Before we proceed to decide this point I should like to ask my hon. and learned Friend whether, if the hours he has proposed be adopted, it would be possible to extend the hours on a Saturday, for instance, from 10 o'clock to 12 o'clock, in any given locality. In my own borough there is a considerable market held in a very important street till 12 o'clock every Saturday night. A great deal of selling and buying goes on between the hours of 10 and 12. I am undoubtedly in favour generally of the opinions that have been expressed by the right hon. Gentleman the Member for Sheffield (Mr. Mundella). I think restrictions are necessary, but there are exceptional cases in which I should like to see exceptional rules laid down.

*SIR A. ROLLIT: I am in favour of the general principle of this Bill, but I feel there is considerable force in the suggestions that have been made with reference to some extension of the hours. I would urge upon the Attorney General that power should be taken to extend the hours on Saturday in London, and on market days in provincial towns.

*SIR R. WEBSTER: I desire that ample opportunity should be afforded for the discussion of the proposed proviso. All we are doing at the present time is to limit the hours in favour of the views of hon. Gentlemen. It could not affect the discussion of the proviso to accept these amendments.

*MR. ISAACS: The explanation of my hon. and learned Friend does not satisfy me, and I am sure it will not be regarded as satisfactory by the Representatives of Metropolitan constituencies. I, therefore, regret I am not in a position to withdraw the Motion to report Progress.

*SIR A. ROLLIT: On one point I particularly wish to have a clear understanding with the Attorney General. Would it be possible, if we agree how to fix the hours as a general rule, to insert a proviso to the effect that the hours may be extended on any particular day?

*SIR R. WEBSTER: Certainly.

Question put, and agreed to.

Committee report Progress; to sit again upon Wednesday next.

INTERMEDIATE EDUCATION (WALES) BILL. (No. 4.)

Order read, and Question proposed, "That the Committee on this Bill be deferred to Wednesday next."

*MR. OSBORNE MORGAN (Denbighshire, E.): I hope I may be allowed, in the absence of my hon. Friend in charge of the Bill, to express a hope that the Amendments the Government desire to make to this Bill may be set down in time to allow of the discussion being taken on Wednesday. The Bill has already been five weeks before the House.

SIR W. HART DYKE assented.

Committee deferred to Wednesday next.

REGISTRATION OF CLUBS BILL. (No. 37.)

Order for Second Reading read, and discharged.

Bill withdrawn.

PLACES OF WORSHIP (SITES) BILL. (No. 102.)

Order for Second Reading read, and discharged.

Bill withdrawn.

LOCAL GOVERNMENT (SCOTLAND) SUPPLEMENTARY PROVISIONS [SALARIES, &c.]. (No. 188.)

Resolution reported:

"That it is expedient to authorize the payment, out of moneys to be provided by Parliament, of Salaries or Remuneration to, and of the expenses incurred by, the Boundary Commissioners, Assistant Commissioners, Secretary, Officers, and persons appointed under any Act of the present Session to make Supplementary Provisions for amending the Laws relating to Local Government in Scotland."

Resolution agreed to.

LUNACY ACTS AMENDMENT [REMUNERATION]. (No. 199.)

Resolution reported:

"That it is expedient to authorize the payment, out of moneys to be provided by Parliament, of Remuneration to any person who may be directed by the Commissioners in Lunacy to visit a single patient under the provisions of any Act of the present Session to amend the Acts relating to Lunatics."

Resolution agreed to.

BOARD OF AGRICULTURE (SALARIES, &c.) (No. 22.)

Resolution reported:

"That it is expedient to authorize the payment, out of moneys to be provided by Parliament, of a salary of £2,000 a year to the President of the Board of Agriculture, and of such Salaries and Remuneration, as the Treasury may determine, to the Secretary, Officers, and Servants of the said Board, and of all expenses incurred by the said Board under any Act of the present Session for establishing a Board of Agriculture for Great Britain."

Resolution agreed to.

RATING AND VALUATION (SCOTLAND).

Ordered, That the Select Committee be reappointed to consider the law relating to the Rating and Valuation of the various kinds of Property subject to Assessment in Scotland, and to report what amendments may be necessary therein.

Ordered, That the Committee on Rating and Valuation (Scotland) do consist of Seventeen Members.

The Committee was accordingly nominated of—Mr. Baird, Mr. J. B. Balfour, Mr. Barbour, Mr. Joseph Bolton, Mr. Caldwell, Dr. Cameron, Sir Archibald Campbell, Sir Charles Dalrymple, Mr. Hugh Elliott, Sir Archibald Orr Ewing, Mr. Hunter, Colonel Malcolm, Mr. M'Ewan, the Lord Advocate, Mr. Shaw-Stewart, Mr. Mark Stewart, and Mr. Edmund Robertson.

Ordered, That five be the quorum.

Ordered, That the Committee have power to send for persons, papers and records.—(*Mr. Edmund Robertson.*)

COAL DUTIES (LONDON) ABOLITION BILL. (No. 5.)

Committee to consist of seven Members; four to be appointed by the House, and three by the Committee of Selection:—Sir Richard Temple, Sir Bernhard Samuelson, Mr. Lawson, and Mr. Baumann nominated Members of the Committee.

Ordered, That the Committee have power to send for persons, papers, and records, and in their discretion to hear Counsel on behalf of such persons or Corportions as they decide should appear before them.

Ordered, That three be the quorum of the Committee.

*Sir JOSEPH PEASE (Durham, Barnard Castle): In the course of the discussion which took place upon my right hon. Friend's Motion for the suspension of the Standing Order, the hon. and learned Member for Bethnal Green thought that I had not thoroughly fulfilled the pledge I gave to the House on the occasion when the Coal Duties Abolition Bill was read the second time on the 22nd May. Let me call the attention of the House to what actually took place on that occasion. The right hon. Gentleman, the Chairman of Ways and Means, suggested to the House that instead of refusing the Bill a Second Reading, we should agree to the Second Reading, and then refer the Bill to a Committee which should have "full power to hear what the Corporation has to say, to examine into the debt, and see how far the debt is connected with this particular revenue, and what kind of treatment of the debt is necessary, in honour and good faith, in order to satisfy the first claims of the City of London in respect of the revenue." The right hon. Gentleman suggested that "this course could be followed with perfect justice to all parties, and without raising the questions which had been referred to by the right hon. Gentleman the Home Secretary." At the close of the debate the Leader of the House appealed to me to accept a Committee on the terms laid down, and after I had taken counsel with the right hon. Gentlemen on the Bench in front of me, and my hon. Friends around who supported the Second Reading, I accepted the suggestion, and subsequently drew up the reference to the Committee, carefully adhering, as much as was possible, to the language of the Chairman of Ways and Means. The ques-

tions embraced in the Resolution are really, what will be the powers of the City of London in the event of the Coal Duties statutory ceasing, as they will by the expiration of the public statute on July 5th? It would be the duty of the Committee to consider the manner in which money has been expended, what money has been borrowed for the Holborn Valley Improvements; and what amount still remains unpaid; and the last point is whether any and what provision should be made in respect to the balance of this debt. I know there is a controversy between hon. Members who represent the outskirts of the City and the representatives of the City itself, as to whether the Corporation are really entitled to anything of the kind, but this is the very question I undertook to refer to the Committee, and upon which undertaking the Second Reading of the Bill was granted. Now the hon. Member for Bethnal Green proposes to limit the Reference to the Committee to the first point of inquiry. I am, as I have said before, most anxious that the Bill should pass into law with the least possible delay, for the present position of things is highly detrimental to the coal trade of the Metropolis. [*Cries of* "Agreed."] I do not wish to detain the House a single moment longer than necessary. I am advised that the rights that will accrue to the Corporation include 8d. per ton on all coal coming into the Metropolis by the river, and 1s. 3d. per ton upon a great proportion of that coming by rail. So the question we have to decide now is whether these claims of the Corporation should be decided in the House and at once, that, in fact, we should pass the Bill, as suggested by my right hon. Friend behind me, without reference of this subject to the Committee, or whether it should be submitted to the Committee for investigation. I have the honour to move at once the Resolution, the terms of which I have placed on the Paper.

Motion made, and Question proposed,

"That it be an Instruction to the Committee that they have power to inquire into the amount and character of any Duties in respect of coals which would accrue to the Corporation of the City of London, on the expiration of the 'Coal and Wine Duties Continuance Act, 1868,' under the provisions contained in 1 and 2 Will. 4, c. 76, and any subsequent Acts of Parliament; the manner in which the 4d. per ton allocated to the Corporation of the City of London by Statute for the Holborn Valley Improvements has been expended; how far any sums of money that were borrowed for the Holborn Valley Improvements still remain unpaid; and whether, in consequence of the abolition of the said Duties, there should be any, and, if so, what, provision made in the Bill in respect of such debt, if any existing, on the primary security of such Duties."—(*Sir Joseph Pease.*)

*MR. PICKERSGILL (Bethnal Green, S.W.): The Bill to which the Resolution just read refers consists mainly of recitals, the operative part is exceedingly brief. On and from the 5th July next it takes away all rights which the Corporation of the City of London claim to have to tax coal brought into the Metropolis. It has always been the practice when rights are about to be taken away by legislation that there should be an inquiry, by Committee or otherwise, into the nature and extent of those rights; that is a practice founded on reason and equity, and I have no desire to run counter to it. The hon. Baronet and myself are agreed that the Bill may properly and in accordance with precedent be referred to a Committee, but then, obviously, there arises the question, what shall be the Reference? That is an essential matter, although earlier in the day I thought the hon. Baronet endeavoured, rather improperly, to minimise the importance of the difference between us. Obviously the terms of the Reference are important, because you may have a tribunal admirably adapted to decide one question, yet totally unfit to decide another. On one point you may have implicit confidence in that tribunal, and on another point you may have no confidence at all. If there is any objection to be raised it is essential to raise it at the outset, because if persons submit without protest to the arbitrament of a particular tribunal they cannot, when the award has been given, with any decency express their dissent from it. Now, what are the instructions I would propose to give to the Committee?

"That the Committee have power to inquire into the amount and character of any Duties in respect of Coals which would accrue to the Corporation of the City of London on the expiration of 'The Coal and Wine Duties Continuance Act, 1868,' under the provisions contained in 1 and 2 Will. 4. c. 76, and any subsequent Acts of Parliament."

Now, can anything be more in accord-

ance with the previous practice of the House or more fair to the claims put forth on behalf of the Corporation? A little while ago it was vouched for upon legal opinion that on the 5th July the Corporation would be entitled to levy a tax of eightpence per ton upon half of all coal brought into the metropolis by railway. Well, that is a very large order. But what I want to point out is that my Reference will not preclude the Corporation, through their counsel, from putting forward that claim and having it considered by the Committee, or any claim of a similar description. It would be the duty of the Committee to investigate all such claims and make their Report to the House thereon. My proposal is, I believe, strictly in accordance with precedent and equity, and if it errs at all it is on the side of being rather too indulgent towards the Corporation. But the hon. Baronet proposes to empower the Committee to inquire into the manner in which the fourpence per ton allocated to the Corporation for the Holborn Valley Improvement has been expended. Now, I object altogether to the introduction of that topic as being entirely irrelevant to the present question. It is very likely that an inquiry into the expenditure of any department of the Corporation would be interesting and, perhaps, not unfruitful. Through the intervention of my hon. Colleague in the representation of Bethnal Green such an inquiry was made a little while ago; and of the Report that resulted, I will simply say this—that it would be exceedingly amusing if it were not for the discreditable state of affairs disclosed. At the proper time a proposal to inquire into the expenditure of any funds at the disposal of the Corporation would have my warm approval. I daresay there would be some extraordinary revelations even under this head of expenditure. It would be shown, at all events, in connection with the Holborn Valley Improvement, that the Corporation cleared large sites of poor populations then occupying them, and that they allowed these sites to grow green before any use whatever was made of them. Indeed, I do not know whether or not some portions of the lands are even yet unused. But such an inquiry is not relevant to our present purpose. Then the hon. Baronet proposes that the Committee should be empowered to consider whether there is any debt now remaining due on account of the Holborn Valley Improvement. Now, I say that we have nothing to do with that debt. The understanding was perfectly clear when provision was made in 1868 that the Coal Duties would absolutely cease and determine this year. It was most distinctly understood that such security as was given by the London Coal Duties would cease on the 5th July next. During the interval the Corporation have enjoyed the honour and glory of having carried out a great undertaking. They have also had what I daresay the Corporation prizes more highly than honour and glory, the management of the funds. If the Corporation have exceeded the amount which was at their disposal, and which they knew to be at their disposal, then the responsibility rests with the Corporation, and the debt resulting must be a charge on the estate of the Corporation; we have nothing to do with it on the present occasion. And now I come to the last part of the Resolution, to which I object even more than to anything that goes before. This part of the Instruction should be read in the light of the Resolution as it originally stood, when the hon. Baronet proposed that inquiry should be directed as to whether the fourpence per ton should be continued for the purpose of the reduction of the debt, and, if so, for what period. These last words were altered by the hon. Baronet with a view to arriving at a compromise of the difference between us, but I think the House will see that substantially the Instruction remains the same as before. What is the vice of these Instructions looked at from the point of view of those who represent the Metropolis in this part of the House? The vice is this—We are asked to refer to a Committee of seven Members of this House the question whether or not the coal of the Metropolis should continue to be taxed by the Corporation. I protest altogether against the re-opening of that question. It has already been decided by the people of the Metropolis through their accredited representatives, the London County Council. If hon. Members opposite will only carry their minds back a few weeks, they will re-

member that the hon. Baronet, in speaking in support of his Bill, put in the forefront of his speech the fact that the County Council for London had decided against the continuance of the Coal Dues by a majority of 74 to 34. Well, that is a very substantial majority, and a perfectly satisfactory majority, to my mind, and I say this—that this question has been decided by a proper tribunal. I call it a proper tribunal, and I have a warrant for insisting on the word proper for this reason. The question of the taxation of Metropolitan coal, as the House well knows, has been raised repeatedly during the last four, five, or six years, and various Governments—not one Government in particular, not a Conservative Government, or a Liberal Government, but Governments of both complexions of politics—have been urged to pronounce a decided opinion on the question one way or the other. And what has been the invariable reply, both of Liberal and of Conservative Governments? Their reply has been this:—"It is not for us to decide this question. We are bound to wait before doing so, for at present the metropolis has not a representative body through which it can speak. We will not decide the question, but we will wait until Local Government has been given to London, and when Local Government has given to the Metropolis a voice, then we will attend to what that voice says and will act upon it." Is not that substantially the position which has been taken up by successive Governments? Well, Mr. Speaker, we are now in the happy position which that statement looked forward to. We have got a representative body in the metropolis. That representative body has been consulted on this very question, and by a majority of 74 to 34 has decided upon it. I rest upon that decision, and I object entirely to the re-opening of the question. I have something more to add. This proposition of the hon. Baronet not only re-opens the question which has been decided, but besides doing that it refers it to a tribunal, which is, perhaps, of all tribunals the most unsuited to decide the question. I have every respect, and I have no doubt every Member of this House has, for Select Committees for suitable purposes. You cannot have a better tribunal in order to investigate legal claims. I doubt whether you can have a fairer or more intelligent tribunal than a Committee of this House; therefore, so far as legal claims of the Corporation are concerned, they might perfectly well be submitted to a Select Committee. The right hon. Gentleman the Member for Liskeard goes beyond that, and talks about the moral claims of the City, and he wishes to submit to a Hybrid Committee of seven persons, not only the legal, but also the moral claims of the Corporation. Well, Sir, perhaps the term "moral claims of the Corporation of the City of London" is a rather contradictory term. At all events, I do protest against the idea that a Hybrid Committee of this House is the proper tribunal to which to submit the moral claims (so called) of the Corporation of the City of London. I said a few months ago it was extremely important if a protest of this kind is to be made that it should be made at the outset, and therefore I make it before this Committee is set up, in order that it may not be said afterwards—"You were willing to take the chance of a favourable decision from this Committee; but now that the Tribunal to which you appealed has given a decision unfavourable to you, you turn upon it, and revile it." I say then, I object altogether in this matter—and I speak with the authority of my hon. Friends, the Representatives for London who sit on this side of the House—we object altogether to what is proposed to be done, and we protest against referring this matter to a tribunal composed of a Select Committee of this House. May I read a line or two on this subject from a letter written by my hon. Friend below me, and published in the *Daily News* a little while ago, in which he stated the case for the Bill. The passage to which I refer is as follows:—

"If anything is due to the City, surely it would be wise on the part of those who, like myself, strongly object to the Coal and Wine Dues to secure through the action of a Committee, if not the immediate, at any rate the early termination of these obnoxious duties. The very Reference to the Committee confines its consideration to the sum of fourpence per ton to be charged in lieu of the thirteenpence now levied. . . Should the Committee recom-

mend any alteration of my Bill which is in favour of a total and immediate repeal, the hon. Member would be at liberty to defend the Bill as altered, or he could move its rejection on the Third Reading. Certainly it would be open to himself or any of his Colleagues to move such an Amendment, or to propose the rejection of the Bill."

Quite so. But, Sir, how should we be met? We should be met with the authority of the recommendation of the Select Committee. If you refer this matter to a Select Committee it necessarily follows almost invariably that you mean to be bound by the decision of the Committee. As a rule, of course that is a proper and a reasonable thing; and I say that when we propose this Amendment we shall be met with all the weight and authority of the recommendation made by the Select Committee, and even I, an inexperienced Member of this House, have observed what great authority the House always attaches to the recommendation of such Committees. I can remember within my experience very few occasions—indeed, I do not know whether there have been more than one or two—upon which the House has refused to be guided by the recommendations of a Select Committee. Very well then. I say I meet the hon. Baronet's suggestion by the remark that if we do not make our protest now we shall lose our opportunity, because when we propose to insert any alteration such as the hon. Baronet suggests we might be able to do, we shall be met by the authority of the Select Committee; and I venture to say that the Government, of which Lord Salisbury is the head, would be only too glad to do a good turn for the Corporation of the City of London, under the cover and under the recommendation of a Select Committee of this House. Now, Mr. Speaker, I just want to call attention for a minute or two to another remark by the hon. Baronet and to what he has said as to the Holborn Valley Improvement. He stated in the debate on the Bill, "I personally have rather a warm side towards the City of London." We can perfectly understand the position of the hon. Baronet; we can perfectly understand he has a somewhat warm side towards the Corporation of the City of London; and it is because we feel that he must have a warm side that we are now somewhat suspicious of the course which he is taking. We may be misjudging his action in this matter; but some people think that the hon. Baronet has acted as a sort of bonnet for the Corporation. I personally do not make that charge; but I remember that when this Bill was before the House for the Second Reading my hon. and learned Friend the Member for Dundee, who is a high authority on this subject, said he was sorry that this Bill had been brought forward at all. There was really no necessity for it, and it would have been far better to have let sleeping dogs lie. At the time I somewhat dissented from that opinion, and accordingly I voted in favour of the Second Reading of the Bill. But if we are to have this Bill referred to the Committee with the Instruction to which I am objecting, then I say it would have been infinitely better if this Bill had not been brought forward at all. The hon. Baronet—and this is the last point I shall touch upon—frightens us, or endeavours to do so, with the legal rights to tax coal of the Corporation, which will accrue after the 5th July. Well, now, Sir, what are those legal rights? On the showing of the hon. Baronet himself they are these:—That the Corporation of the City of London has a right to levy a duty of 15d. per ton on coal which is brought into London by some railways; whereas there is no right at all to levy a tax upon coal which is brought into London by other railways. Mr. Speaker, I think the absurdity of such a position is obvious the moment it is stated, and I should like to see the Corporation of the City of London trying to put a tax upon coal which is brought in—say, for example—by the Midland Company, while they have no power to tax coal brought in by, say, the Great Northern or the North-Western Companies. I think, Mr. Speaker, it is only necessary to state the legal position of the Corporation as it is put before us by the hon. Baronet to show that it would be absolutely impossible for the Corporation of the City of London to act upon those rights which are stated to belong to it. If it attempted to do so, whatever the fate of the duty might be in such a case, I have no doubt whatever as to what the fate of the Corporation itself would be. Fifty years ago [*Cries of* "Oh!"]—I think hon. Members opposite might hear the conclusion of my sentence. Fifty years

ago the Corporation of the City of London might have played such pranks as this; but the Corporation of the City of London, if a giant at all, is at present only a toothless giant, and I think I might say it is a moribund giant. I am sorry that this discussion has to take place under circumstances of difficulty which are obviously unsuited for the discussion of the issue, which, to my mind, and to the minds of many of my Colleagues, is so important, but we in this quarter of the House are not responsible for that. The responsibility rests on the Government of the day, and is the result of the Motion which they made at an earlier period in the afternoon. I will not say that they have been guilty of sharp practice, because perhaps sharp practice is not a Parliamentary expression; but I may be permitted to say that the action which they have taken this afternoon is not calculated to promote courteous relations between themselves and hon. Members who sit in this quarter of the House. At all events, I, for one—and I am authorised to speak on behalf of London Members who sit here—I, for one, protest against submitting this question in the form proposed by the hon. Baronet to a Select Committee of this House, on the ground that the question has been already settled by a tribunal to which, by the common consent of Liberal and Conservative Governments, it was to be referred—namely, by a representative body of the whole Metropolis. I protest, therefore, in the first place, against reopening the question at all; and, in the second place, I protest against referring it for decision to a tribunal which has not a single qualification which is proper for the determination of it. Now, owing to the circumstances to which I have referred, I am afraid we shall be beaten to-night, but we shall, at all events, have the satisfaction of feeling that we have made our protest; while the division which will be taken will have this effect—satisfactory, I venture to think, to us who sit in this quarter of the House, both now and hereafter—that it will show who of the Metropolitan Members are on the side of the old and *effete* Corporation of the City of London, and who are on the side of the body of coal consumers of the Metropolis. I beg to move the Amendment which stands in my name.

Amendment proposed, to leave out from the word "Parliament," in line 5, to the end of the Question.—(*Mr. Pickersgill.*)

Question proposed, "That the words proposed to be left out stand part of the Question."

*MR. FIRTH (Dundee): I think the position in which the House is placed by this instruction, is one somewhat difficult to understand, and I have been trying to arrive at a conclusion as to where we now are. Remember that during the debate on the Motion for the Second Reading of the Bill the measure met with severe, incisive, vigorous, and determined opposition on the part of the City of London, and on the part of some Gentlemen who sit on the opposite side of the House. Since then there has come over the scene a complete transformation. They might very easily have stopped the Bill to which they were so bitterly opposed, but, curiously enough, I find that there is no effort whatever to block it on the part either of the City of hon. Gentlemen opposite who opposed it so strongly during the Second Reading debate. In that state of things we are led of necessity to look somewhat closely into what can possibly be the cause of this complete change of front, and I think the cause is to be found in this instruction. I do not absolutely suggest that the hon. Baronet has gone into the camp, of what I may, without offence, call the enemy, for his instruction; but, looking at the language, I certainly should not be astonished to find that it was drafted in a City office.

*SIR J. PEASE: No, no. I drafted it myself.

*MR. FIRTH: Of course I accept the hon. Baronet's disclaimer, but there are peculiarities about the instruction which are very remarkable. My hon. Friend who last spoke has pointed out that the latter part of the instruction has no reference to the Bill at all, but is quite irrelevant to it. What is the object of

the Bill? It is to abolish the rights given by two charters — the second charter is not mentioned—the rights given by the first and third charters, of James I., and any prescriptive rights upon which those charters were based. Now, this fourpence per ton, allocated to the City by statute, has nothing whatever to do with that, because the Act of 1868—or the Act which gave power to continue the fourpenny dues for twenty years—for the Holborn Valley Improvement, said nothing about the prescriptive duties, and it does not deal with them. And I do not see how that question can now be brought into the discussion unless, indeed, there is a hidden idea that out of the action of this Committee the Statutory Coal Dues, which have been condemned by every Government for the last 15 years, will once again for some reason be re-enacted, and perhaps in that is to be found the reason for this remarkable abstention from opposition on the part of those who recently so vigorously opposed it. I am endeavouring to ascertain what the situation is in order to decide what course should be taken. I venture to say that the question of how far any sums borrowed for the purposes of the Holborn Valley Improvement still remain unpaid, has nothing whatever to do with the Bill, unless indeed the money was borrowed on the strength of the dues enforced by the Bill. Does anybody believe—is there the slightest evidence to show—and since my hon. Friend's Bill was introduced we have had an opportunity of going into the matter—that anybody advanced money in connection with the Holborn Valley Improvement on the strength of the charter rights exercised before the Statutory Coal Dues were imposed. Now this Instruction may refer either to the prescriptive or charter duties, or it may mean the statutory duties, but we have no evidence at any rate that any money was borrowed on the primary security of those duties which the Bill deals with. I should, therefore, think that the correct Instruction in connection with the Bill would have been with respect to the dues which the Bill proposes to abolish. It is quite true that I said on a former occasion, I thought it would have been better if my hon. Friend had let sleeping dogs lie. It could not be expected that the House would abolish any really valuable existing right without dealing with the question of compensation, and if this Instruction had simply been to refer the matter to a Committee to consider whether any and what compensation should be given for the abolition of the duties, this difficulty would not have arisen. But at the same time, we should have had the other difficulty to which my hon. Friend draws attention—namely, this tribunal is not one which, with all respect for it, may be properly considered as able to deal with an extremely difficult and intricate question of law, such as arises under it. I should be perfectly content if we had left the City to have exercised whatever rights they thought fit on the 5th July next, and I will just point out before sitting down what the position of the London Council will be with respect to it. I think the Reference to the Committee says that the Committee may give consent to persons to appear by counsel, but I apprehend that the London County Council will have no right to appear. We should not be appearing to oppose the Bill, and whether we could appear to support it, having regard to this Instruction, is a very doubtful question. If you refer to this Committee what is practically a power of inserting in the Bill a clause renewing the coal tax, you would do so without allowing us to appear, or enabling us to appear on behalf of those people who may have to pay the tax. I submit that that is not a position in which you ought to place a responsible body, and, above all, it is not a position in which you ought to place this body which represents the whole of the London area. Supposing that it is inserted in your Bill, and supposing that it is decided that the coal tax shall be renewed, and that a Bill brought in to abolish the Charter Dues should renew the statutory tax, the question which you have before you as to the Coal Dues, does not arise, and the people will simply have to pay and pay without being heard. I should have thought that the matter

might have been left where it was, and it might have been left with the tribunal best fitted to decide it—namely, a Court of Law, and if it were necessary to refer it to a Committee, I certainly think that the deliberations of that Committee ought to have been confined to matters directly germane to the scope of the inquiry, leaving a Court of Law to decide all legal points. Under these circumstances I think that the hon. Member for Bethnal Green should receive support.

*MR. J. STUART (Shoreditch, Hoxton): The main point for us to consider at this moment is that the City of London is going by this Special or Select Committee to have the power given to it to tax the whole Metropolis for the sake of one square mile, and to raise money on a necessary of life used in an area of 700 square miles. I shall support my hon. Friend the Member for Bethnal Green, and I believe many hon. Members would not have voted for the Second Reading had they known what were to be the terms of the Reference. I feel confident that if this Bill does not pass now it will pass before very long, and I do not think it right to interfere between the realization of the clearly expressed desire of the body representing London by a Select Committee most irregularly thrust upon us.

MR. J. ROWLANDS (Finsbury): I desire strongly to support the position taken up by my hon. Friend the Member for Bethnal Green. I think we have a just right to complain of the very peculiar position in which the Members for London have been placed this afternoon by the action of the Government. But they know they have a case which will not bear discussing, and that the more publicity that is given to it the weaker will it appear to be before the people of London. At any rate we are waiting anxiously to see how hon. Members for London sitting on the Government side of the House intend to vote. If the Committee report favourably on this proposal it means that the people of Greater London will have to contribute a large sum of money which will be utilized by the people of only one square mile in the City of London. It may be asserted that the improvement which the City made was not a City improvement pure and simple, but was made on behalf of the whole of London. It is, however, in the recollection of those who have gone into the question that the City chose to take that improvement as one for itself. It was not asked to do so, and it was very jealous that anyone should interfere in that improvement. Having taken it over under the conditions under which they did, I say the Corporation ought not to have any further moneys out of the people at large outside their own area. With regard to whether the charters of James or William and Mary could be utilized, and 1s. 3d. per ton levied on coal borne by the London and North Western or the Great Western Railway Company or sea borne to the City of London, those of us who know London best smile at such a suggestion. I should only like to see the City of London attempt to carry out a charter of the kind after an expression of opinion from the people of London. I should pity all those connected with the City of London who after that cared to solicit the confidence of the people of London or any part of it. They no more dare to revive these obsolete rights than they dare to revive any more charters they may have stored away in some of the obsolete pigeon-holes of the Guildhall. What is the feeling in London with regard to the City? Is the City the most popular institution? Is it so popular that the people of London will let it put 1s. 3d. per ton on their coal under some old charter which is simply revived because there could not be found a Government of either Party in the country that would enable the City to get its Coal Dues by statute, and because the representatives of the City of London itself have expressed a decided opinion against the Coal Dues? I think that our friends in the North of England have raised for themselves a difficulty which they will undoubtedly suffer under. If this reference is carried and the Committee report favourably on the portion of the Reference that we disagree with, what will be the result? Instead of the whole of the Coal Dues ceasing

in London on and after the 5th of July, as we thought would have been the case, you will have a Report from the Committee that the Bill of the hon. Member shall be amended, or some other Bill passed for the purpose of giving the City power to levy these Coal Dues in order that they may pay certain debts they may have. Instead of having the Coal Dues abolished at once in London we shall have them re-enacted for a purpose which will not be for the benefit of the masses of the people. To attempt to say anything in favour of the Coal Dues seems to me absurd when you look through the Parliamentary proceedings in connection with them. Fifty odd years ago a Committee of this House reported against them, and it has only been through the occult influences which the City exercises in the Lobby by means of its paid official that they have been able to get these Bills continually passed. We had all hoped that on the 5th of next month the whole of these Coal Dues would have ceased to be, instead of which we are confronted with this reference part of which, as has just been pointed out by the hon. Member for Dundee (Mr. Firth), has no reference whatever to the Bill of the hon. Baronet (Sir J. Pease). We cannot help seeing that the hon. Baronet has unknowingly allowed himself to be used by the City. It is no wonder that the friends of the City were so ready to get the Government to suspend the Standing Orders of the House under peculiar circumstances, the reason being that the City Corporation are going to get more power to wring more money from the people, that they may have the opportunity of spending it as they want. If they are hard up for cash let them suspend their dining operations for twelve months. They would not be able to entertain so many of my hon. Friends as formerly, but some of us who do not go to the City dinners would not mind that much. We have had the opportunity of going. To attempt by this sidewind to again burden the people of London with these Coal Dues is a thing we must protest against most strongly. We have the satisfaction of knowing that our action in this House will be endorsed by the constituencies outside. We know what a strong feeling there is outside; we know that the people of London are dead against a tax of this description on one of what may be called the necessaries of life. I should like to have heard some attempt to justify the latter part of this reference from hon. Members of the House who believe in it. Instead of any such justification, however, we have had three speeches from hon. Members in this quarter of the House all unanswered. I must say I think it shows a great amount of wisdom on the part of hon. and right hon. Gentlemen who are going to support this reference to remain silent, because they would have found it rather difficult to say anything in justification of their vote. Perhaps a silent vote is the best thing they can give under the circumstances, but we on our part are determined not only to press the Amendment now, but if the Committee reports as we think it may, we will fight the Bill when it again comes before us, because we are convinced that it is impossible to-day for the City to interfere, as it desires to do, with the industries of the Metropolis and with the great industries of the North of England. Discussing the question with a Member of this House to-day I said, "You have the Midland and the Great Northern Railways capable of pouring into London as much coal as they like entirely free of this tax, and do you think the City, under these circumstances, would dare to put this tax on the coal of other companies?" And the reply was, "That is our weakness; they might do so, and we shall be handicapped against them." But the City is not omnipotent. True, you have the collieries that can send coal by the Midland and Great Northern Companies, but you have to consider the influence of the coal owners who could send by other companies, and whom the City of London, it is said, would handicap. What is the position of those who support the latter part of this Reference? Why, they have to face the fact that if the City took the course they suggest they would raise up against themselves an enormously powerful interest—that of the coal owners and the working classes. Those people who would be handicapped in the struggle would necessarily speak out—the coal owners and the artizans

Mr. J. Rowlands

of London. Suppose the artizan classes did find themselves handicapped, and that it was impossible for the Midland and Great Northern companies to send enough coal into London to keep up the supply to meet the demand, necessarily the prices would go up. What would be the position of the City of London then, with a rise in the price of coal? Ask yourselves for one moment what would be the position of the City? Why there is nothing which would enable it to face the storm of wrath and indignation which would arise, and I do not think that even the hon. Baronet who represents the occult influence of the City Remembrancer would be able to suggest a means of successfully resisting the tempest. The City would have to be backed by the Government itself. If this Bill ever becomes an Act that is the position you will be in —that the City may, if it likes, revise some old charters to enable them to charge 8d. or 1s. 3d. a ton on certain railway and certain water-borne coal. We are not afraid of the prospect in London. We know the City dare not do it, and I tell the friends of the City on this side of the House that those who are interested in the industries of the North of England and of the Metropolis are not afraid of the revival of these old charters. The City of London has not the moral power to do what it did years ago. It is crippled to-day; it is only a portion of London. It no longer has the power to stop Acts of Parliament from being passed. It has tried to do it, and we all know in what a glaring light its conduct was exhibited by a Committee upstairs. I do not think it is necessary for me to take up the time of the House any longer. Hon. Gentlemen seem anxious to come to a division. This is a question of the most important description to the people of London. I can understand hon. Gentlemen opposite, who have followed their whip, being impatient for a division and anxious to have their legitimate time on a Wednesday, but they must remember that we are fighting for something and are prepared to make any sacrifice of our time and comfort in order, if possible, to check this obnoxious Reference and prevent it from passing. As I have said, I do not wish to take up the time of the House any longer. I do intend to give my strongest opposition to this Reference. I wish to put on record my opinion as to the effect I believe that the passing of this Reference will have in the future upon the abolition of the Coal Dues in London, unless we are fortunate enough by this discussion to have shown so strong an opposition on the floor of this House on the part of one portion of the representatives of London that when the Reference gets upstairs it will to a large extent be killed by this debate. I cannot help feeling that this discussion will have a good effect on the Committee upstairs. I beg to support the Motion of my hon. Friend the Member for Bethnal Green, and though we may not be successful on this occasion I do not think it will be long before we shall be successful, and I hope that this Reference and this debate will only be another nail in the Conservative coffin of the City of London.

*MR. HOWELL (Bethnal Green, N.E.): Another reason why we should not force on a division on this question is the conspiracy of silence maintained by the other side. We have to complain of this debate being forced on us at this hour by a combination of forces on this side and the other side of the House. We feel very strongly in the matter, and I can only reiterate what has been said by those who have preceded me, that we have no fear of the City attempting to revive these old charters. It would be a great sight to see the Midland and Great Northern companies with their directors and shareholders fighting with the London and North Western and Great Western Companies. The companies would settle the matter amongst themselves. The people of London would get their coals cheaper than they would do or can do if these duties are revived, as they would be revived, after the Reference of this Bill in the terms proposed to the Select Committee. We shall be in a worse position by the revival of these duties, after the Bill has been referred to a Select Committee, than we should be under the existing

charters. If these charters are worth anything at all, which I very much doubt, the fact that the Bill will give to the City certain statutory rights—and the position mentioned by the hon. Member for Dundee strongly accentuates this—the Corporation representing a small area will be able to be represented before the Committee, while the large body of the ratepayers will not be able to be represented. It appears—and we have it on the authority of one who is perhaps the most capable of speaking on the subject—namely, the hon. Member for Dundee—that the London County Council would not be able to appear by counsel before the Committee. Well, having regard to the formation of the Committee itself and having a vivid remembrance of the powerful advocates that the City is always well able to call to its aid upstairs, one can understand that the eloquence of the learned counsel may be able to influence the Committee in their recommendation, so that quite apart from the evidence itself the Report may bear a complexion not very desirable to those of us who sit on this side of the House. I have some kind of remembrance of what has been done in this way by a Reference upstairs to which my hon. Colleague has already referred. I venture to say that in that particular instance the Report of the Committee did not bear out the evidence. No fact stated in this House in reference to that matter was called in question, every fact was borne out before the Committee, but the Report did not go the length we had a right to expect. In regard to this Reference, if it ends where it is proposed by my hon. Colleague that it should end the City will have no right to complain. They will have every opportunity of bringing before the Committee any rightful dues that may belong to them, and I can well understand that the Committee itself would not be likely to recommend any course of conduct which would be disadvantageous to the City. Quite apart altogether from the recommendations of the Committee I think hon. Members will agree that it has always been the practice in this House, not only with regard to a body like the London Corporation, but with regard to much smaller bodies—with regard to individuals in fact—whenever they have been touched in any of their privileges, to afford compensation. Surely the Corporation of the City of London, and the friends of the Corporation might well leave that matter to the Committee upstairs, and to this House when the Report of the Committee appears. There would be no fear whatever of any injustice being done to the Corporation. The greatest fear of all will be that injustice will be done to the great mass of the ratepayers of London. Therefore I support the Amendment of my hon. Friend.

Question put, "That the words proposed to be left out stand part of the proposed Instruction."

The House divided:—Ayes 101; Noes 46.—(Div. List, No. 147.)

Main Question put.

Ordered—

"That it be an Instruction to the Committee that they have power to inquire into the amount and character of any duties in respect of coals which would accrue to the Corporation of the City of London on the expiration of 'The Coal and Wine Duties Continuance Act, 1868,' under the provisions contained in 1 and 2 Will. 4, c. 76, and any subsequent Acts of Parliament; the manner in which the 4d. per ton allocated to the Corporation of the City of London by statute for the Holborn Valley Improvements has been expended; how far any sums of money that were borrowed for the Holborn Valley Improvements still remain unpaid; and whether, in consequence of the abolition of the said duties, there should be any, and, if so, what, provision made in the Bill in respect of such debt, if any existing, on the primary security of such duties."

TRUST FUNDS INVESTMENT BILL.

(No. 6.)

Reported from the Select Committee, with Minutes of evidence.

Report, with Minutes of evidence, to lie upon the Table, and to be printed. [No. 200.]

Bill re-committed to a Committee of the whole House for Monday next, and to be printed. [Bill 280.]

MR. SPEAKER, in pursuance of the Order of the House of this day, adjourned the House without Question put.

House adjourned at Seven o'clock.

HANSARD'S
PARLIAMENTARY DEBATES.

No. 4.] FIFTH VOLUME OF SESSION 1889. [JUNE 28.

HOUSE OF LORDS,

Thursday, 20th June, 1889.

REPRESENTATIVE PEER FOR IRELAND.

EARL OF LISBURNE—Report made from the Lord Chancellor, that the right of Ernest George Henry Arthur Earl of Lisburne to vote at the elections of Representative Peers for Ireland has been established to the satisfaction of the Lord Chancellor; read, and ordered to lie on the Table.

MASTER AND SERVANT BILL.

Brought from the Commons, read 1ª, and to be printed (No. 111).

ADVANCE NOTES TO SEAMEN BILL. (No. 93).

SECOND READING.

LORD BALFOUR: My Lords, I will not trouble you with many observations in moving the Second Reading of this Bill. The object of the Bill is to amend the Act of 1880, one of the clauses in which prohibits altogether the payment of seamen's wages by means of advance notes. As your Lordships know, the conditions under which sailors are employed make it impossible that their wages can always be paid to them monthly or at any stated time as the wages are earned, and the usual custom is that they are paid in one sum at the conclusion of their engagement. In the case of those men who may have been improvident, or in the case of those who may have met with wholly undeserved misfortune, it is often the case that when they want to make a new engagement they may be without the means of providing themselves with the necessary outfit. By the Act of 1880 shipowners and those who were employing sailors are not allowed to make any conditional advance to them of money out of what they would earn during their coming engagement to enable them to enter upon it. A practice had grown up in reference to the matter among shipowners and employers in the ports throughout the United Kingdom of giving advance notes, which led to practices injurious to the sailors, and in 1880 the Legislature absolutely prohibited those conditional advance notes. A clause was put in the Bill—which became law in that year — which prevented sums of money so paid being deducted from the amount earned, and which would have had to be paid at the conclusion of the engagement. The clause enacting this prohibition has not worked well. It has not served its purpose. It has proved to be very easily evaded, and in this way among others. Sailors, and those who employ them, have made engagements to work for 1s. or other small sums for one or two months, but at the same time a promissory note which they could discount has been given to them to make up the difference between the 1s. and the amount for which they were actually working. It is not possible to go behind such an engagement as that, and therefore the clause in the Act of 1880 has been practically evaded. The matter has been carefully considered by the very strong Commission which was appointed to inquire into matters concerning loss of life at sea, and they came unanimously to this finding—that, while the practice which I have just mentioned to your Lordships was extremely inadvisable upon the evidence before

them, it was almost impossible to dispense with the system altogether, under which seamen procure advances out of their earnings when at sea, whereby they might be enabled to provide themselves with necessaries, kit, and so on, and they recommended that the wisest course would be to legalise the practice, limiting advances in all cases to an amount not exceeding one month's wages. That recommendation has been very much pressed on the Board of Trade, and the Bill which I have now to lay before your Lordships is simply and solely for the purpose of giving effect to it, and allowing the sum so advanced, being not more than one month's wages, to be deducted at the conclusion of the engagement from the sum due to the sailor. The Bill has been unanimously passed in the other House of Parliament, and I now beg to move in your Lordships' House that the Bill be now read a second time.

Bill read 2ª (according to order), and committed to the Standing Committee of Bills relating to Law, &c.

WEIGHTS AND MEASURES BILL.
(No. 108).

SECOND READING.

*LORD BALFOUR: My Lords, this Bill is somewhat longer than the Bill which I have just moved should be read a second time. I may explain that it has for its object the amendment of the measure passed on the same subject in 1878. That Act has very generally and almost entirely fulfilled the purpose for which it was passed, but the eleven years which have elapsed and the experience gained has shown that in some essential and important particulars it is capable of amendment. There has grown up under the operation of the Act considerable diversity of practice among the various Local Authorities who are charged with the appointment of inspectors to put the provisions of the Act in force. There has been also a very general demand for some more systematic inspection for the purpose of checking frauds, and more especially those frauds which are likely to be committed at the expense of the poorer classes of the population, who are on that account less able to protect themselves. The Bill which I ask your Lordships to read may be divided into two main parts. The first part relates entirely to the amendment of the law of 1878—that is to say, the law which relates to the inspection and verification of weights and measures. The other part deals with new provisions, new at least to the general law of the land, with regard to the sale of coal by weight. I need not detain your Lordships at any length at the present time, because with the exception of one or two points to which I will shortly refer, almost all the clauses deal with points which are essentially matters of detail, and which will, therefore, be more fitly considered by the House in Committee should your Lordships be willing to give the Bill a Second Reading. The general scope of those clauses is to enlarge the powers of Local Authorities. Power is given to the Board of Trade to make general regulations upon some technical points, which have been largely misunderstood by certain of the smaller Local Authorities which had to put them in force. If those points had been as well understood by some of the smaller Local Boards, as they have been worked in the larger communities, there would have been no occasion to make this correction. Your Lordships will see that it is very desirable that in matters of this kind there should be a uniform practice and method of enforcing the law. It is not intended to interfere with the just prerogatives of Local Authorities and their just discretion, but only to lay down general rules for their guidance and instruction. One important Amendment is new so far as the existing law is concerned—that is to say, it is proposed that Local Authorities and the Inspectors acting under them should have the power and the duty of inspecting and verifying weighing machines as well as the weights used in connection with them. Your Lordships will easily understand that just as serious frauds may be committed by the use of improper weighing machines as by the use of faulty weights. That is, of course, weighing machines used as between buyer and seller. It is not proposed to interfere with weighing machines which may be used in private establishments for purposes other than those of sale. In this matter the Government are only following the precedent of almost every other European country and the large majority of our colonies in which similar

provisions have been found to be of use. Then there are certain clauses which provide for an increase of penalties and forfeiture of fraudulent weights and weighing machines where it is clearly proved that these have been wilfully and persistently used. There is also a clause allowing the Board of Trade to make provision for fixing new denominations of standards as they may be required to meet the exigencies of trade and the demands of society. That is obviously a matter of very pressing necessity, and one which your Lordships, if you pass this Bill, will give power to the Board of Trade to deal with. There is also a power asked for to test the qualifications of those who are to be in future appointed Inspectors of Weights and Measures, but this provision will not apply to existing appointments. It has sometimes been complained of that Local Authorities appoint persons who have not the necessary qualifications or education for the discharge of important duties devolving upon them. Of course that provision would not interfere with persons who are actually in possession of appointments, but is only intended to ensure that persons who in future should receive appointments would have the necessary qualifications. My Lords, I think that is all I need say with regard to the general provisions for the amendment of the existing law. I think it right I should also mention that before the Committee stage I shall have to put on the Notice Paper an Amendment dealing with one clause inserted at a late stage of the progress of the Bill through the other House of Parliament—I mean the 13th Clause, which gives the right to the officials of the Post Office to have their weights tested without any charge, and I propose to amend it by words providing that the clause shall only apply to weights used exclusively and wholly in the service of the Post Office. In the case of those who carried on other businesses not strictly postal business alone, it has not been thought fair that they should have their weights, used for the general purposes of trade, verified free of expense. I will place an Amendment on the Paper so as to give ample opportunity to those who take an interest in the matter, to see that it fulfils the purpose intended. The second portion of the Bill is that which, for the first time, applies a general provision to secure that there shall be no fraud in the sale of coal—that it shall be sold by weight alone. That is the practice and the law so far as Scotland is concerned at present. It is also the state of the law in the Metropolitan district, but I am told that with regard to the Metropolitan district, this provision will expire on the 5th of July. It is therefore desirable that the existing practice should be not only maintained, but that it should be extended for the avoidance of fraud in the country generally. There is a provision in an old Act of Parliament declaring that coal shall be sold by weight and not by measure, but it has been laid down by judicial decisions that those who are prosecuted for selling coal otherwise than by weight must have it alleged and proved against them not only that they have not sold by weight, but that they have sold by measure. Therefore, those who wish to commit a fraud with impunity simply avoid selling by measure, and in that way escape the consequences as provided by the Act. This Bill will amend the law in the direction of that which exists in Scotland. The clauses which deal with this point are almost substantially the same as are now a portion of the law of Scotland. It is also provided that a weight ticket should be given by any seller of coal to the purchaser, and this ticket will be found set out in the third schedule of the Bill. It was the same as is in force in Scotland, and it has been found to work well, though it has been slightly simplified. There are also provisions for the protection of those who sell coal without any fraudulent intent, but who, by the action of carmen or persons in their employment, would otherwise be liable to be prosecuted for selling an insufficient quantity of coal. It is provided that if it is proved that sufficient weight has been delivered to the carman the master shall escape prosecution. There are other clauses of the nature which I have indicated, but they are really matters of details and will be better considered in Committee than on the occasion of a Second Reading. If, on the other hand, there is any explanation I can give, perhaps it would be better that I should do so by the indulgence of the House upon questions

which may be asked, rather than that I should take up the time of the House by going over matters which would occupy considerable time. I have to move that this Bill be read a second time.

*LORD MONKSWELL: My Lords, before this Bill is read a second time, I should like, on behalf of the London County Council, to state that the Amendment which the noble Lord proposes to move will not remove the objection which they take to the clause. The County Council feel that the clause providing for the Post Office having their weights verified free of expense is exceedingly unjust, and I shall on the proper occasion move its rejection. It is thought that the Postmaster General ought to see to his own weights and measures, or at all events pay for their examination by others.

*THE EARL OF KIMBERLEY: My Lords, I desire on behalf of local taxpayers to make one remark. I cannot for one moment see on what possible ground Government should charge on the local rates the expense of verifying the weights of the Post Offices. The Post Office is a Government Department, and it seems to me that the Local Authorities ought not to be saddled with the expense of the verification of the weights used in connection with it. I am glad that my noble Friend proposes to move an Amendment to that effect, and so prevent any such burden being thrown upon local rates and taxes.

Bill read 2ª (according to order), and committed to the Standing Committee for Bills relating to Law, &c.

ASSIZES RELIEF BILL (No. 96.)

Commons Amendments to Lords Amendments considered (according to order), and agreed to.

PURCHASE OF LAND (IRELAND) ACTS AMENDMENT BILL (No. 84.)

Read 3ª (according to order), and passed.

House adjourned at Five o'clock till To-morrow, a quarter past Ten o'clock.

HOUSE OF COMMONS,

Thursday, 20th June, 1889.

QUESTIONS.

THE CROFTERS' COMMISSION.

MR. JOHN ELLIS (Nottinghamshire, Rushcliffe): I beg to ask the Solicitor General for Scotland what is the total rental of the holdings dealt with by the Crofters' Commission up to 31st May, 1889; what is the total judicial rental of these holdings; and, what was the sum struck off as arrears?

*THE SOLICITOR GENERAL FOR SCOTLAND (Mr. S. DARLING, Edinburgh and St. Andrew's Universities): The Crofters' Commission have made two Reports to Parliament in terms of the Statute, on reference to which the hon. Member will find the information he desires up to December, 1888. There is no compilation of the results after that.

IRELAND—CAPTAIN TORRENS AND THE OLPHERT EVICTIONS.

MR. PATRICK O'BRIEN (Monaghan, N): I beg to ask the Secretary of State for War whether it is true that the 2nd Dragoons, Royal Scots Greys, were recently on duty at the evictions on the Olphert estate, in the County of Donegal; whether Captain J. A. W. O'N. Torrens was in command of a company of the Royal Scots Greys on that occasion; whether he is aware that a Circular has been issued in the County of Londonderry, and the North of Ireland generally, bearing the signature of a J. A. Torrens, Somerset, Coleraine, soliciting subscriptions for Mr. Wybrants Olphert, to recoup him for certain rents alleged to have been withheld pending the concession of reductions demanded by his tenantry; and that enclosed with the Circular was a letter signed by Captain Torrens in which he states that it was not Mr. Olphert's intention to yield in any way to the demands of his tenants, and professed entire ignorance of any negotiations for an arbitration; whether the Captain J. A. W. O'N. Torrens, given in the Army List as belonging to the

2nd Dragoons, Scots Greys, is the same officer whose name is attached to the Circular referred to; and, if so, whether such interference in a political question is permissible on the part of an officer engaged on military duty in the district; and, whether he will take any, and what, steps in the matter?

*THE SECRETARY OF STATE FOR WAR (Mr. E. STANHOPE, Lincolnshire, Horncastle): The facts are substantially as stated in the Question. The Circulars referred to were issued on the 10th and 20th of May, and were signed by Captain Torrens some time after he had ceased to command the detachment employed on eviction duty. Captain Torrens is an Ulster landlord, and was acting purely in his private capacity. Under the circumstances, it does not appear necessary to take any steps in the matter.

MR. SEXTON (Belfast, W.): Is not Captain Torrens liable on any day to be called upon to execute evictions? Under the circumstances, is it desirable that he should be allowed to issue Circulars of this nature?

*MR. E. STANHOPE: Captain Torrens is an officer in the Army, and I do not think there is any necessity to remind him of the nature of his duty.

MR. P. O'BRIEN: Do the Queen's Regulations allow officers in the Army to take an active part in the proceedings of landlords against their tenants?

*MR. E. STANHOPE: No, Sir.

MR. P. O'BRIEN: Then why should not the gentleman be punished for violating the Queen's Regulations?

*MR. E. STANHOPE: In my opinion he has not violated them.

INDIAN CIVIL SERVANTS AND THE EXECUTIVE COUNCILS OF THE VICEROY AND SECRETARY OF STATE.

MR. HUBBARD (Bucks, N.): I beg to ask the Under Secretary of State for India if he can state how many members of the Covenanted Civil Service, members of the various departments of the Uncovenanted Civil Service, Military Officers, and others, are members of the Executive Council of the Viceroy of India, and of the Council of the Secretary of State for India respectively; and whether the grievances of the Uncovenanted Civil servants are being considered by a Committee or Committees of either or both these Councils; and, if so, whether he will state the names of the gentlemen serving thereon?

THE UNDER SECRETARY OF STATE FOR INDIA (Sir J. GORST, Chatham): The Executive Council of the Viceroy of India consists of three members of the Covenanted Services, two military officers, and one barrister. The Council of the Secretary of State for India consists of five ex-members of the Covenanted Services, six military members, and three others. No member of either Council has belonged to the so-called Uncovenanted Service. There is no Committee at present specially considering the grievances of the Uncovenanted Civil Service.

PACIFICATION OF BURMAH.

MR. BRADLAUGH (Northampton): I beg to ask the Under Secretary of State for India whether the Secretary of State is aware that, in the reports published in the *Indian Daily News* of Calcutta, and in other Anglo-Indian newspapers, respecting the manner in which the "pacification" of Burmah is being carried on, it is declared that—

"It is a very common thing to hear young officers, especially in the police, say that it is a mistake to take prisoners;"

that—

"One young officer, who had been in the service scarcely a year, was heard to boast that he had sentenced only a few less than one hundred men to die;

that of one of these young officers it is stated that—

"Having hunted down a certain man, he, as usual, sentenced him to death;"

that the officer last referred to proceeded to carry out, in a particular case, a sentence of death without having received confirmation of the sentence from the Commissioner, without which the sentence could not legally be carried out, and, when a reply came refusing sanction, nevertheless hanged the victims—

"And reported that the order came too late;"

that in regard to a certain operation against alleged dacoits, for which the officer in command received the thanks of the Chief Commissioner, it—

"By-and-bye oozed out that the attack in question was upon a peaceful village, and that women and children had been shot down, and that the matter was inquired into, and the only

notice of it taken was that some of the police were punished for firing without orders;"

the thanks to the officer not being withdrawn, and he not censured or punished; that in another instance an officer acting for the Commissioner of a division, while so acting, received an appeal from an alleged dacoit against a sentence of ten years' imprisonment—

"He immediately enhanced the sentence to one of hanging, and the man was hanged;"

and, whether, in view of these charges, and similar charges testified to by the Rangoon correspondent of the *Times* in a recent issue of that paper, the Secretary of State will order an inquiry to be made with a view to the removal, if found existing, of the abuses described, and to the punishment of officials who are alleged to have misused the powers entrusted to them if that misuse of powers be proved against them?

SIR J. GORST: The Secretary of State has no ground for believing the charges to which the hon. Member gives currency by his Question to be true. He cannot direct any inquiry without some *primâ facie* evidence, and such particulars as will enable him to identify the officers against whose conduct charges are made.

MR. BRADLAUGH: May I ask whether Her Majesty's Government consider statements of this grave character made in such a newspaper as the *Times* are not worth investigation? If the hon. Gentleman regards the *Times* as utterly unreliable I will not press the question.

SIR J. GORST: I understand the grave charges to be quoted from the *Friend of India*, and not from the *Times*.

MR. BRADLAUGH: The last paragraph of my Question states that similar charges were testified to be true by the Rangoon correspondent of the *Times*.

SIR J. GORST: There is no such charge made by the correspondent of the *Times* at Rangoon.

KASHMIR.

MR. BRADLAUGH: I beg to ask the Under Secretary of State for India whether the Secretary of State for India is aware that the Government of India have, virtually, annexed the State of Kashmir to British India, and subjected its ruler to great indignities; whether the Secretary of State is aware of the contents of a letter, No. 11 C, of 1889, dated 17th April, from Colonel Nisbet, C.I.E., Resident of Kashmir, to Raja Amir Singh, Prime Minister of Kashmir; whether such letter is a violation of the solemn promises made by the Queen on the assumption by Her Majesty of the direct rule of India, that the Native Indian Princes should be safeguarded in their dominions, and that no annexation of Native territory should be made; whether the Maharajah of Kashmir has been removed from the position of an active and responsible ruler of his dominions to that of a mere pensioner on State funds; whether the Maharajah has been informed that "he will be expected to refrain from all interference in the administration," that "he will have no power of obtaining the State Revenues," that he is to receive "an annual sum sufficient to maintain his household in due comfort," but nothing for what is called "extravagance," that he is not to attend meetings of the Council, and that the Council is "expected" to exercise the powers of administration it possesses "under the guidance of the British Resident"; whether the Councillors, three or four of whom (out of five or six who constitute the Council) being "officials selected by the Government of India," have also been informed that they are to "take no steps of importance without consulting the Resident," and that they are to "follow his advice whenever it may be offered;" whether he is aware that in an autograph letter to the Viceroy the Maharajah has protested against the treatment to which he has been subjected, begging that if liberty cannot be restored to him his life might be taken; whether the Secretary of State will state why the course described has been taken with the Maharajah, without any opportunity being given to him of being heard either by the Government of India or by any other authority; whether, in view of the alarm which the course adopted by the Government of India has already caused among the feudatory Princes in India, an opportunity will be given to the Maharajah to apply for a reversal of the decree contained in letter No. 11 C, of 1889, either before a Select Committee of this House or in some other suitable manner; and, whether the Secretary of State will, with as little delay as possible, give the

House an opportunity of discussing the important step which has been taken by the Government of India, and will lay all Papers connected with Kashmir upon the Table of this House?

*SIR J. GORST: The Government of India has neither annexed the State of Kashmir nor subjected its ruler to great indignities. The Secretary of State has as yet received no information respecting the letter referred to. The Maharajah has voluntarily resigned the administration of his State, and his resignation has been accepted. But he will receive from the revenues of the State a suitable allowance for his maintenance. The answer to this question is in the affirmative. The Secretary of State has as yet received no information respecting the letter referred to. The Secretary of State has no reason to think that recent events in Kashmir have caused any alarm amongst the native chiefs in India, whose rights are, subject to the duties of the paramount power towards the people of the Native States, scrupulously respected by the Government of India. There is no correspondence upon the subject which could, in the opinion of the Secretary of State, be at present laid before Parliament without detriment to the Public Service.

MR. BRADLAUGH: May I ask if the hon. Gentleman is aware that the Maharajah repudiates the voluntary action imputed to him in the hon. Gentleman's answer? Will he afford some opportunity of having the matter investigated?

*SIR J. GORST: The Secretary of State has no official information, but I am quite sure that he will not be surprised if that is the fact. If the hon. Member knew the Maharajah of Kashmir as the Government of India do, I think the hon. Gentleman himself would not be surprised.

MR. BRADLAUGH: Does the hon. Gentleman mean that although the Secretary of State has no official information, he is aware, unofficially, that the Maharajah repudiates the voluntary action imputed to him?

*SIR J. GORST: The hon. Gentleman is mistaken if he draws that conclusion from my answer.

MR. BRADLAUGH: Then has the Secretary of State any knowledge, officially or unofficially, that the Maharajah does deny the voluntary action attributed to him, and does he not think that in so grave a matter, affecting so large a question, an opportunity should be afforded for investigation?

*SIR J. GORST: My answer was perfectly clear—namely, that the Secretary of State has no information, but I should not be surprised if the statement should turn out hereafter to be true. I should attach no importance to the fact.

THE VACCINATION COMMISSION.

MR. CHANNING (Northamptonshire, E.): I beg to ask the President of the Local Government Board whether his attention has been called to the resolutions passed by several Anti-Vaccination Societies, protesting against the character of the Royal Commission on Vaccination as at present constituted, and asking Her Majesty's Government to add to it one or more gentlemen who are avowed opponents of vaccination, such as Dr. Creighton, Mr. C. H. Hopwood, Q.C., Mr. William Tebb, Mr. Alfred Milnes, or Mr. A. R. Wallace; and whether he will make some addition to the Commission to meet the views of those who oppose vaccination?

MR. SUMMERS (Huddersfield): I have also to ask whether the attention of the right hon. Gentleman has been called to the dissatisfaction prevailing amongst the opponents of vaccination with the composition of the Royal Commission appointed to inquire into the working of the Vaccination Acts, as well as with the terms of Reference to the Commission; and whether, under the circumstances, he will advise that the scope of the Reference shall be enlarged, and that one or more members, who possess the confidence of the opponents of vaccination, shall be added to the Commission?

*THE PRESIDENT OF THE LOCAL GOVERNMENT BOARD (Mr. RITCHIE, Tower Hamlets, St. Georges): I have received numerous letters and resolutions from various anti-vaccination societies, making representations similar to those mentioned in the first part of the question of the hon. Member for Northamptonshire East; but, although coming from several societies, the letters and resolutions have evidently a common origin. I am of opinion that the terms of Reference and the names of the Com-

missioners are such as to secure that full and impartial investigation will take place into the whole subject. Among the names of the Commissioners will be found gentlemen who will, I am satisfied, not fail to secure that the interests and views of the anti-vaccinationists are fully considered. I may point out that, although the gentlemen named in the question are not members of the Commission, it will be quite competent for them to lay their views before the Commissioners as witnesses. The Government have no intention of altering the scope of the Reference or adding to the numbers of the Commission.

INDIAN FOREST SERVICE—PENSIONS.

SIR ROPER LETHBRIDGE (Kensington, N.): I beg to ask the Under Secretary of State for India what length of service in the Indian Uncovenanted Forest Service qualifies an officer for full pension; how many officers have been appointed to that service since its establishment in 1856; how many officers during the same period have died; how many officers have retired or otherwise left the service during the same period; and, how many of these have been qualified by their service for any pension, and how many for full pension?

SIR J. GORST: The period which qualifies an officer of the Indian Forest Service for full pension is 30 years. The information in possession of the Secretary of State does not enable him to give to the other questions replies upon the accuracy of which reliance could be placed.

THE WHITGIFT CHARITY.

MR. COZENS-HARDY (Norfolk, N.): I beg to ask the hon. Member for the Penrith Division of Cumberland (Mr. J. W. Lowther) whether it is the fact that the Governors of the Whitgift Foundation in Croydon have recently paid £200 out of the income of the Charity towards the cost of restoring a monument to Archbishop Whitgift in Croydon Parish Church; whether such payment was authorized by the Scheme by which the Charity is now governed; and, whether the Charity Commissioners have taken, or propose to take, any and what steps to secure the repayment by the Governors of the £200?

MR. J. W. LOWTHER (Cumberland, Penrith): The Governors of the Whitgift Foundation in Croydon have recently paid £200 out of the income of the Charity towards the cost of restoring a monument to Archbishop Whitgift, in the Parish Church of Croydon. Such payment was not authorized by the Scheme by which the Charity is now governed. On the 29th of April last the Charity Commissioners informed the Governors of the Whitgift Foundation that, in their opinion, the sum of £200 charged in the accounts of the Charity for 1888 as the contribution towards the cost of restoring the monument was not properly so charged. After this intimation it might be presumed that the Governors would now proceed to make good to the funds of the Charity the amount thus appropriated unless they preferred that legal proceedings should be taken for testing, by a judicial decision, the authority of the opinion expressed by the Commissioners.

OFFICE OF ASSISTANT OVERSEER.

MR. SEALE-HAYNE (Devon, Ashburton): I beg to ask the President of the Local Government Board whether it is competent for a member of a Local Board, who is at the same time Clerk to a School Board, to hold the appointment of Assistant Overseer?

*MR. RITCHIE: The fact that a person is a member of a Local Board and Clerk to a School Board, does not in my opinion constitute a legal disqualification for appointment as Assistant Overseer.

THE QUETTA GARRISON.

ADMIRAL FIELD (Sussex, Eastbourne): I beg to ask the Under Secretary of State for India whether the General in command at Quetta has made representations to head-quarters in India as to the insufficient accommodation for regimental officers belonging to the garrison, since the same was increased a short time back; and, whether any attention has been or will be paid to such representations with a view to remedy the existing state of things, which compels officers with their families to reside in hotels outside the cantonments, at great expense to themselves and to the great disadvantage of the service?

SIR J. GORST: No such representation from the General in command at Quetta has reached the Secretary of

State. Quarters for officers have been and are being provided as rapidly as possible, consistent with other equally pressing demands. Establishments and labour are very scarce at Quetta, and work is carried on under much difficulty.

ADMIRAL FIELD: The hon. Gentleman has not answered the first paragraph of my question, whether the General in command at Quetta has made representations to head quarters in India as to the insufficient accommodation?

SIR J. GORST: I can only say that no such representations have reached the Secretary of State. I dare say that if such representations have been made, they will, in due course, find their way to the Secretary of State, but they have not arrived yet.

BILLINGSGATE FISH MARKET.

MR. OCTAVIUS V. MORGAN (Battersea): I beg to ask the President of the Local Government Board whether his attention has been directed to a letter in the *Morning Post* of 5th June, signed J. Lawrence-Hamilton, M.R.C.S., in which it is stated that Billingsgate Fish Market has a river frontage of only 160 feet, where no steamer larger than 130 tons can unload; whether complaints have reached him that the internal structures, stalls, fittings, and pavement of Billingsgate being rough, uneven, porous, and highly absorbent, imbibe, breed, and retain every form of germ, bacteria, or microbe, which are specially active in starting and accelerating the decomposition of any dead fish and shell fish in the market; and, whether it be true that large quantities of fish full of decomposed blood and entrails are commonly sold at Billingsgate?

*MR. RITCHIE: I have seen a letter in the *Morning Post* with reference to Billingsgate Market. No complaints have reached me as to the material of the internal construction and the pavement of Billingsgate Fish Market. I have been in communication with the Corporation of London on the subject, and I am informed that paving the market with glazed tiles or marble, as has been suggested, is wholly impracticable, as neither would stand the extremely heavy and rough wear from the large iron-bound boxes thrown about on them, and would be dangerous by reason of slipperiness when wet. It is stated that the existing pavement is of the best York stone, that no better material for the purpose is known, and that the greatest possible attention is paid to the cleansing of the market. The Corporation inform me that great pains and care are taken to inspect the fish brought to the market, and to condemn and seize any that is unfit before it be exposed for sale, there being as many as four inspectors for this one market. The large quantities of fish that are occasionally condemned as being unfit for human food are either immature fish or fish that, from some cause or another, have been delayed in coming to the market. The large weight is accounted for by the fact that the fish condemned is very often shell fish.

RICHMOND BARRACKS, DUBLIN.

MR. WILLIAM LOWTHER (Westmoreland, Appleby): I beg to ask the Secretary of State for War whether it is true, as lately stated in a public journal, that six officers and six non-commissioned officers of the 21th regiment stationed at the Richmond Barracks, Dublin, were down with typhoid fever; whether one of the non-commissioned officers had died; whether there is any intention on the part of the War Office to cause the whole of the Richmond Barracks to be overhauled; and, whether any endeavour will be made to have the drains put to rights at those barracks?

*MR. E. STANHOPE: I am sorry to say that three officers and three privates of the 1st Battalion South Wales Borderers have been attacked with enteric fever at the Richmond Barracks since the 1st January last, and that one case —that of Private Jones—was fatal. Mr. Rogers Field is now making a careful inspection of all the sanitary arrangements of the barracks, including the drainage, and I am awaiting his Report. I understand that he has discovered certain defects in the drainage, which have been immediately remedied. But there is also a necessity for considerable improvement in the subsoil drainage of these barracks. But, whatever defects may be discovered, I am prepared to do anything that may be found necessary to put these barracks into a proper condition. There is much evidence to show that the illness in these

and other barracks has been largely due to the sanitary condition of the Guard Rooms outside, and this is confirmed by the fact of its being specially prevalent among subalterns. Early this year my attention was called to this matter, and I have pressed those responsible for them, who are not the Military Authorities, to put them in a proper condition, and this is being made.

GLANDERS.

MR. JEFFREYS (Hampshire, Basingstoke): I beg to ask the Vice Chamberlain why the Privy Council does not order compensation to be paid to persons whose horses or mules are compulsorily slaughtered to prevent the spread of glanders and other infectious diseases, in the same manner that compensation is now paid to persons whose cattle or pigs are slaughtered to prevent the spread of disease?

THE VICE CHAMBERLAIN (Viscount LEWISHAM, Lewisham): The only disease (other than rabies) for which horses and mules, under existing Orders of Council, can be ordered to be slaughtered is glanders. The provisions which require slaughter in the case of glanders in horses and mules are different from those which relate to diseases of cattle and pigs, inasmuch as the owner of the horse ordered to be slaughtered may prove to the Court before whom he is summoned that the horse is not affected with glanders, or that the slaughter is for any reason unnecessary or inexpedient. The disease of glanders is considered to be incurable, and as a horse or mule affected with that disease has no great commercial value, it is considered to be to the interest of the owner that the animal should be killed as soon as possible after the disease is recognized.

MR. C. RAMACHANDRAZZAR.

MR. THORBURN (Peebles and Selkirk): I beg to ask the Under Secretary of State for India whether Mr. C. Ramachandrazzar, formerly an Uncovenanted judicial officer, and nominated to the Covenanted Civil Service, as an Assistant Magistrate, in February 1887, on the abolition of his appointment of Magistrate in the city of Madras, was, in March, 1889, promoted *per saltum* to the grade of Joint Magistrate over the heads of more than 60 officers senior to him in the Gradation List; and, if so, can he state the reason for his promotion; whether the promotion of Mr. C. Ramachandrazzar, the last appointed Joint Magistrate in the Madras Presidency, above all the 14 Joint Magistrates previously appointed, has been notified in the usual way, and whether it is intended to promote Mr. C. Ramachandrazzar over the heads of his 14 seniors, to an appointment as District Judge or District Magistrate; whether all the officers thus superseded, except those on leave or special duty, are now, and have for some time past, been acting as District Judges, or District Magistrates and Collectors, with satisfaction to the Government and High Court of Madras; whether some of them were so acting before Mr. C. Ramachandrazzar ever entered the Covenanted Service; whether the Secretary of State in Council will instruct the Madras Government to refrain from appointing Mr. C. Ramachandrazzar permanently, or substantively, *pro tempore*, to the post of District Judge, or District Magistrate and Collector, until all previously appointed Joint Magistrates have received such permanent promotion; whether, in a regularly recruited Madras Covenanted Service, the normal period for promotion to the grade of Joint Magistrate is 12 years, and for promotion to the highest grade 16 years, as calculated by the hon. H. E. Stokes, M.C.; whether it is the fact that Mr. C. Ramachandrazzar was, in March last, appointed Joint Magistrate over the heads of three officers whose service exceeded 12 years, and that, if promoted to the next vacancy in the highest grade, he will supersede at least three officers whose service exceeds 16 years; whether the Secretary of State will cancel the appointment already made, and instruct the Madras Government to abstain from giving exceptional promotion to Mr. C. Ramachandrazzar, until it can be done without disappointing the reasonable and just expectations of those who entered the Covenanted Service by open competition; and, whether, if it appears that Mr. C. Ramachandrazzar's promotion will be indefinitely delayed by this restriction, the Secretary of State is willing to

accelerate promotion by allowing officers, who have served for 15 years, to retire on proportionate pensions?

SIR J. GORST: There is no such person in the Covenanted Civil Service of India as Mr. C. Ramachandrazzar; but the question may refer to Mr. C. Ramchandra Aiyar, who was in March, 1887, appointed a "Statutory Civilian" under 33 Vict., c. 3, and is now Acting District and Sessions Judge at Nellore. He has been nearly 30 years in the Government Service, and is looked upon as one of the best judicial officers in the Madras Presidency, and answers the description in the Statute, being "of proved merit and ability." The Secretary of State has no reason to believe that any injustice has been done to any member of the Covenanted Civil Service of India, and he has no intention of interfering in the matter.

PROFESSOR VAMBERY.

MR. SUMMERS (Huddersfield): I beg to ask the Under Secretary of State for Foreign Affairs whether there is any foundation for the statement that has been made to the effect that Professor Arminius Vambéry has been on a special mission to the Sultan at the request of Lord Salisbury; and, if so, whether he can inform the House what was the nature of the mission in question?

*THE UNDER SECRETARY OF STATE FOR FOREIGN AFFAIRS (Sir J. FERGUSSON, Manchester, N.E.): No, Sir; the statement in question is without foundation.

THE MARITIME CONFERENCE.

MR. CHANNING: I beg to ask the Under Secretary of State for Foreign Affairs whether the United States Government have submitted to Her Majesty's Government the programme of subjects proposed to be discussed at the Maritime Conference to be held in October; and, if so, whether he will state to the House what those subjects are, and what limits, if any, are laid down in the terms of Reference?

*SIR J. FERGUSSON: The programme of subjects to be discussed at the Conference has been submitted to Her Majesty's Government, who are now considering it. It is not desirable to state what the proposed subjects are until an agreement has been come to respecting them between the Powers who may accept the invitation of the United States Government to take part in the Conference. But Her Majesty's Government desire to narrow the issues for discussion, and only to take up such questions as, in their opinion, are likely to be considered practically.

MR. CHANNING: Can the right hon. Gentleman state the time at which the programme of subjects will probably be made known?

*SIR J. FERGUSSON: At present we are in the initiatory stage. We only recently received the programme, and it must be the subject of consideration and correspondence and possibly of discussion. I am unable to state now what course Her Majesty's Government will take in regard to it, except as far as I have indicated.

MR. CHANNING: May I ask whether the programme of subjects will be made public in sufficient time for the various Mercantile Marine Associations and Shipping Associations to lay their views before the Board of Trade?

*SIR J. FERGUSSON: I will take care that the question raised by the hon. Member is considered. I cannot say more now.

ZULULAND—ALLEGED FLOGGING OF NATIVES.

MR. THOMAS ELLIS (Merionethshire): I beg to ask the Under Secretary of State for the Colonies whether he has yet received information, confirmatory or otherwise, as to the allegations made against Mr. R. H. Addison, the Resident Magistrate of the Nawande District, of having tried to extort evidence by torture, flogging, and isolating men, and then firing a gun to make each separate man think the other was shot; and, whether it is a fact that, while the late trials at Eshowe were going on, the lands occupied by those charged with disturbances were partitioned among Usibebu's party, and so rendering 60 headmen of the Usutu party homeless?

THE UNDER SECRETARY OF STATE FOR THE COLONIES (Baron H. de WORMS, Liverpool, East Toxteth): The Secretary of State has no further information as to the alleged attempt of Mr. Addison to obtain evidence in the manner suggested in the hon. Member's question. The Secretary of State has seen a report of

allegations made by natives to the effect stated in the second paragraph of the question, and has received a Report on these allegations from Mr. Osborn, which tends to show that in such slight shiftings and readjustings of the population as have taken place in the ordinary course of administration no hardship or injustice was inflicted on the Usutu section. The Zulus do not recognise individual property in land, and it is within the competence and part of the duty of the supreme power to assign to the various sections of the population their places of residence and the lands on which they are to subsist. The Papers will be included in the correspondence to be presented to Parliament.

MR. T. ELLIS: May I ask whether the attention of the hon. Gentleman has been called to the evidence tendered by a native constable attached to the magistracy of Mr. Addison, which showed that natives were flogged in order to get evidence?

BARON H. DE WORMS: I have already answered that question. The Secretary of State has no further information.

MR. T. ELLIS: Will the hon. Gentleman try to obtain official information?

BARON H. DE WORMS: I have already said that I would.

MR. BRADLAUGH: Is the hon. Gentleman aware that the natives state that the cat with which they were flogged contained bits of metal?

BARON H. DE WORMS: I must wait until I receive official information. I do not think I should go into matters on which I have no official information.

SOMHLOLO'S CASE.

MR. THOMAS ELLIS: I beg to ask the Under Secretary of State for the Colonies whether he is now in a position to fulfil his undertaking to place in the Library of the House fifty copies of the evidence in Somhlolo's case; and how soon he expects the arrival of the evidence in the cases of Dinizulu, Undabuko, and Tshingana?

BARON H. DE WORMS: It had been intended to supply all the evidence to Parliament together; but as it now appears that the second portion cannot be ready before the beginning of August, steps will be taken to give the first portion at an early date.

COPYISTS.

MR. JOHN KELLY (Camberwell, N.): I beg to ask the Secretary to the Treasury what is the actual number of the copyists whose names are now on the "register" at the Civil Service Commission, and of those in employment at the present time?

A LORD OF THE TREASURY (Sir H. MAXWELL, Wigtonshire): The number of copyists on the general register is 1,036; on the special register, 69—total, 1,105. The number of copyists in employment is 1,088.

UNLAWFUL ASSEMBLIES.

MR. JAMES ROWLANDS (Finsbury, E.): I beg to ask the Secretary of State for the Home Department whether the police have instructions to prevent the holding of public meetings in the open air whether they create obstruction or not?

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. MATTHEWS, Birmingham, E.): The police have received no such instructions as are suggested in the question. Their instructions are, speaking generally, to prevent obstructions in thoroughfares, to repress disorder, breaches of the peace, and unlawful assemblies, and to enforce the rules of the parks and open spaces of the Metropolis, and the regulations and directions of the Commissioners.

MR. J. ROWLANDS: Then I understand that when a meeting is held in an open space, and in no way interfering with the traffic in that locality, the police have no authority to interfere.

MR. MATTHEWS: It depends where the meeting is.

MR. J. ROWLANDS: What does the right hon. Gentleman mean by a lawful assembly? [*Cries of* "Oh."] I only ask as to London; I do not refer to Ireland.

MR. MATTHEWS: The definition of a lawful assembly hardly comes within the compass of this question. It involves a great many points; but where there is no breach of the peace or obstruction, generally speaking, a meeting is lawful.

CUMBERLAND COUNTY COUNCIL.

MR. JAMES WILLIAM LOWTHER: I beg to ask the President of the Local Government Board whether the County

Council of Cumberland has declined to frame regulations, or draw up a table of fees, with regard to the inspection by the public of a marked register used at an election for the Electoral Division of Hesket, in the County of Cumberland, under the provisions of "The Local Government Act, 1888," "The Municipal Elections Corrupt Practices Act, 1884," and "The Ballot Act, 1872;" and, whether the Local Government Board will suggest to the County Council of Cumberland the desirability of carrying out the provisions of the above-named statutes in this matter?

MR. MATTHEWS: I will answer this question with the permission of my hon. Friend. I am informed that the marked register is enclosed in the same sealed packet as the counterfoils of the voting papers, and I am advised that this packet cannot be opened for the purpose of taking out the register for inspection without an order of the County Court Judge. There might, no doubt, be a further difficulty in obtaining inspection of the register arising from the fact that as yet no regulations have been made by the County Council with regard to the inspection of such documents; but I do not understand that the County Council have declined to frame such regulations, and I have caused them to be reminded that they should proceed to do so without unnecessary delay.

THE STAMP DUTY ON COPYHOLDS.

MR. COZENS-HARDY: I beg to ask the Chancellor of the Exchequer whether under Section 18 of "The Customs and Inland Revenue Act, 1889," the *ad valorem* duty of ten shillings per cent must be paid on every contract for the sale of copyholds, although only a duty of sixpence must be paid on a similar contract for the sale of freeholds; whether this will render it necessary to put every contract for sale of copyholds on the abstract of title, and thus greatly increase the expense and difficulty of dealing with copyholds; and, whether the Government are prepared to introduce a Bill in the present Session for the purpose of putting copyholds on the same footing as freeholds with respect to Stamp Duty, and for otherwise amending Section 18?

*THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN, St. George's, Hanover Square): There is some point in the question of the hon. and learned Member, though I am not prepared to admit all that is implied in it. It was certainly not the intention of the Government to increase the expense or difficulty of dealing with copyholds, and the effect of the section referred to is not to put any additional burden upon such transactions, but to alter the stage at which stamp duty becomes due, with a view to avoiding risk of loss to the Revenue. My attention has, however, been drawn to the inconveniences which may possibly arise in connection with the abstract of title, and I am at present engaged in consultation with my legal advisers for the purpose of obviating any such inconveniences by an Amendment of the section.

IRELAND—THE CASE OF JAMES DOYLE.

MR. STOREY (Sunderland): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he will lay upon the Table the depositions in the case of James Doyle, sentenced to hard labour for putting in his window a notice, "No bum-bailiffs or emergency men shod here"?

THE CHIEF SECRETARY FOR IRELAND (Mr. A. J. BALFOUR, Manchester, E.): I am unable to adopt the course suggested by the hon. Member. As far as I am aware there are no depositions which can be laid on the Table.

ASCENSION.

MR. SHAW-LEFEVRE (Bradford, Central): I beg to ask the First Lord of the Admiralty what is the total cost of maintaining Ascension as a Naval Station; what is the value of stores there; and, in what way and at what cost communications are kept up with the Island?

*THE FIRST LORD OF THE ADMIRALTY (Lord G. HAMILTON, Middlesex, Ealing): The charge to Naval Votes for full pay and wages in maintaining the Island of Ascension is approximately £8,000. The value of stores cannot be estimated at such short notice, reference to another Department being necessary. Communications with the Island are made by Her Majesty's ships and by a monthly

service of steamers running to the Cape of Good Hope. There is no special charge to Naval Votes for this service, the freight and passages being paid for as incurred.

IRELAND—EVICTIONS AT GURTROE.

DR. KENNY (Cork, S.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he is aware that evictions took place on the 18th instant at Gurtroe, near Youghal, county Cork, and that on that occasion Colonel Caddell ordered the police to break by force, and against the protest of the owner, Canon Keller, into the chapel grounds at Gurtroe, and that the police, in obeying the order, broke the railings surrounding the grounds, and refused to leave when requested to do so by Canon Keller; and when he and Mr. Lane, M.P., asked for the names of the members of the police force who had broken into the grounds, the officer in charge refused to give them; whether Captain Plunkett, when applied to by Canon Keller to remove the police from the grounds, his private property, refused to comply with the request; whether the conduct on the part of those in charge of the police was sanctioned by the Irish Government; whether there is any legal warrant for the police to so break into private premises in which no illegal act was being at the time committed; and whether he will inquire into the matter, and give such orders as will in future prevent the occurrence of such proceedings?

MR. A. J. BALFOUR: I have not yet obtained the information necessary to enable me to answer the question. The hon. Gentleman was good enough to send me an intimation that he would ask a question, but he did not say what the question was.

DR. KENNY: I stated in my note that it referred to the evictions at Gurtroe. I thought that that was quite sufficient.

MR. A. J. BALFOUR: The nature of the question was only stated in general terms without specific details.

MR. SEXTON: There are other matters into which I hope the right hon. Gentleman will also make inquiry —namely, whether Captain Plunkett caused an assault to be committed on the parish priest by the police, and whether it is a fact that a stranger who accompanied the police, and was believed to be an agent of the Castle, insulted one of four girls who resided with their mother in one of these houses by asking her to kiss him? I wish to know whether the Government approve of such ruffianly conduct?

MR. A. J. BALFOUR: I must ask for notice of the question.

DR. KENNY: Will the right hon. Gentleman be prepared to answer my question to-morrow?

MR. A. J. BALFOUR: I cannot say that.

GOLD MINING IN WALES—"THE ATTORNEY GENERAL *v.* PRITCHARD MORGAN."

MR. JOHN KELLY: I beg to ask the Attorney General the reason for the long delay on the part of the Crown in closing the pleadings in the case of "The Attorney General *v.* Pritchard Morgan;" whether, on 22nd May last, Mr. T. W. Gorst, the Solicitor to the Woods and Forests, received a letter from the Solicitors to the defendant, in which they complained of such delay, and reiterated the fact that the defendant was most anxious to have the case disposed of at the earliest possible date; and, if so, why Mr. Gorst has never returned any answer of any kind to such letter; and, whether, in view of the fact that the uncertainty arising from the continued delay in the case of "The Attorney General *v.* Pritchard Morgan," has been the cause of mining operations upon several properties having entirely ceased, and has led, and is still leading, to a large number of persons being deprived of employment, he is prepared to give any undertaking that the case will be set down for trial at once, and that all necessary steps will be taken on behalf of the Crown for expediting the hearing?

THE ATTORNEY-GENERAL (Sir R. WEBSTER, Isle of Wight): In answer to the question of the hon. and learned Member, I have to say that on the part of the Crown there has been no delay in this case. The letter referred to was duly answered on the 24th of May, in the following terms by Mr. Gorst—

"I am in receipt of your letter of the 22nd inst. I have every desire to dispose of this matter without delay, and trust you will assist

me by expediting as much as possible the filing of the affidavit of documents and the inspection thereof."

Mr. Pritchard Morgan subsequently obtained an extension of the time for filing the affidavit of documents until June 19th, and he has as yet given no notice of the filing of that affidavit. I am not aware of the stoppage of any mining operations in consequence of the case of "The Attorney-General *v.* Pritchard-Morgan."

THE ALLEGED DESERTER THOMPSON.

MR. BALLANTINE (Coventry): I beg to ask the First Lord of the Admiralty whether his attention has been called to the observations of Mr. Justice Manisty and Mr. Justice Mathew in the Court of Queen's Bench on June 3rd, concerning the conduct of the captain of H.M.S. *Duke of Wellington*, in relation to the imprisonment of Thompson, the alleged deserter from H.M.S. *Calliope*; and, whether he is now prepared to order compensation to be awarded to Thompson?

MR. BRADLAUGH: Before the noble Lord answers may I ask whether I rightly understand that the Report of the Admiralty Vote will not be taken until after the decision of the High Court in this case?

LORD G. HAMILTON: The course I propose to take is to postpone the Courts Martial Vote. As to the question of the hon. Member for Coventry, I have seen the Report of the proceedings, but as the case is *sub judice* I am not prepared to make any statement with regard to it.

MR. BALLANTINE: The matter is only *sub judice* in the sense that the Parnell letters are *sub judice*. I wish to ask the noble Lord whether on the 3rd of June Mr. Justice Manisty did not say he thought the man had been illegally in custody, without any lawful cause whatever; that he had borne a long imprisonment and had a clear right to be discharged? I wish to know whether, after that expression of opinion, the noble Lord is now prepared to award compensation to the man?

LORD G. HAMILTON: I shall be very glad when the opportunity arises of stating all the facts of the case, and when I do so I think the House will see that this is not a case in which this lad is entitled to compensation.

AUGMENTATION OF BENEFICES BILL.

MR. DILLWYN (Swansea, Town): I beg to ask the hon. and learned Attorney General whether there will be any opportunity for the discussion of the Augmentation of Benefices Bill?

SIR R. WEBSTER: Yes.

MR. PICTON (Leicester): Perhaps the hon. and learned Gentleman will give us a more distinct idea as to what he means by a discussion. Does he mean that it will require an hour or two hours, or what?

SIR R. WEBSTER: I do trust that, whatever may be the opinion of hon. Members as to the merits of the Bill, certainly half-an-hour's discussion will be sufficient.

IRISH DRAINAGE BILLS.

MR. W. P. SINCLAIR (Falkirk, &c.): I should like to ask the Chief Secretary for Ireland whether he is able to inform the House when the Bills relating to the drainage of Ireland will be printed and distributed. This morning we have had the Shannon Bill, but the others have not yet been distributed.

MR. A. J. BALFOUR: The Drainage Bills left the Irish Office some days ago, and I am very much surprised to hear that they have not been circulated. I do not know with whom rests the responsibility. I hope the Railway Bill will be circulated to-morrow.

BUSINESS OF THE HOUSE.

*THE FIRST LORD OF THE TREASURY (Mr. W. H. SMITH, Strand, Westminster): I may say I hope we may get the Second Reading of the Scotch Universities Bill to-night, and if so, we propose to proceed with the remaining Army Estimates to-morrow, and also with the Post Office Sites Bill and the Civil Service Estimates, Class 3. On Monday it is proposed to take the Board of Agriculture Bill as the first Order, and then the Irish Drainage Bills and the Tithe Rent Charge Bill.

SIR W. HARCOURT (Derby): What day will the Sugar Convention Bill be put down for?

*MR. W. H. SMITH: The right hon. Gentleman the Member for Mid

Lothian (Mr. Gladstone) requested that the Order might not be discharged to-day, and under those circumstances I thought it well to put it forward for a fortnight. If the right hon. Gentleman wishes to have an earlier day named, I shall be glad to meet his views.

POST OFFICE SITES BILL.

MR. J. ROWLANDS (Finsbury, East): Will the right hon. Gentleman the First Lord of the Treasury be prepared to-morrow to give any answer to the memorial which has beem signed by all the London Members outside the official circle with regard to the Post Office Sites Bill?

*MR. W. H. SMITH: I think it would be highly improper for me to enter into a discussion on the Post Office Sites Bill until the Bill is before the House. I cannot undertake, therefore, to give any answer at present.

MR. J. ROWLANDS: Will the right hon. Gentleman put the Bill down for such a time that we shall have an opportunity of expressing our opinions with regard to it?

*MR. W. H. SMITH: I have already stated that if the Scotch Universities Bill be read a second time to-night we propose to take the Post Office Sites Bill as the second order to-morrow, and I anticipate there will be ample time for its discussion.

THE EDUCATION CODE.

MR. A. J. WILLIAMS (Glamorgan, S.): May I urge on the Government the importance of placing before the House the Clauses of the New Education Code before next Wednesday?

*MR. W. H. SMITH: Every effort is being made to put these clauses in such a condition as will be satisfactory to the House. I cannot give any further engagement. It will be in the hands of hon. Members at the earliest possible date.

MESSAGE FROM THE LORDS.

That they have passed a Bill intituled "An Act to provide a close time for Hares in England, Scotland, and Wales." [Hares Preservation Bill.] [*Lords.*]

MOTION.

COUNCIL OF INDIA BILL.

On Motion of Sir John Gorst, Bill to amend the Law as to the Council of India, ordered to be brought in by Sir John Gorst and Mr. Jackson.

Bill presented and read first time. [Bill 281.]

ORDERS OF THE DAY.

TELEGRAPHS (ISLE OF MAN) BILL. (No. 273.)

Considered in Committee, and reported, without Amendment.

To be read the third time To-morrow, at Two of the clock.

OFFICIAL SECRETS BILL. (No. 274.)

As amended, considered.

MR. HANBURY (Preston): I beg to move as an Amendment to Clause 2, to strike out, after the words "contrary to the interests of the State," the words or of any Department of the Government." The Bill is intended to punish any one who, by means of his official knowledge, discloses information which it is contrary to the interests of the State to disclose, or, as the Bill says: "contrary to the interests of any Department of the Government." I want to know what could be contrary to the interests of any Department of the Government which was not also contrary to the interests of the State. I believe this is the first Bill in which such a distinction has been drawn. It is altogether a new thing to draw this sharp and clear line between the interests of a single Department and the interests of the State as a whole. I should like to see any other Act in which this distinction is drawn. I do not believe there is such an Act. I should also like to know what is meant by a "Department?" It is not defined in the Bill. Is it the Minister or the permanent officials? For instance, in the Admiralty, what is the Department? Is it the First Lord, the Board of Admiralty, or the whole Admiralty? When we are passing a measure of this kind which inflicts punishment not only on the person who gives official information, but on those who take it, we ought to have the clearest information

as to what can possibly be contrary to the interests of a Department in the best sense of the word when the Department is acting for the true benefit of the State. Everybody is agreed that nothing should be made known that is contrary to the interests of the State, but looking at the way the Departments have been managed lately, I do not think we should render it illegal to obtain information as to that management. The Attorney General may be able to bring forward one or two imaginary cases where a distinction can be drawn; but I am certain that if the words to which I object are retained, we shall be making that a crime which, in a good many instances, would be for the benefit of the State itself. A good many Departments will not be kept in that good order they ought to be in if we do not obtain more information about them in the future than we have been able to obtain in the past, and are not able at once to put our finger on the blot.

Amendment moved, Clause 2, page 2, line 16, after the words "interest of the State," strike out the words "or of any Department of the Government."—(*Mr. Hanbury.*)

Question proposed, "That the words proposed to be left out stand part of the clause."

*THE ATTORNEY-GENERAL (SIR R. WEBSTER, Isle of Wight): I must say I think it a little unfortunate that the hon. Member should have imported so much feeling into this matter. The words in question were inserted with a clear and definite object in view—namely, to prevent information being given which would be injurious to departmental control. They are intended to meet specific cases, and one of the cases is known to me. When it was decided to adopt a new system of guns the fact was made known very much to the detriment of the War Department, who had to pay a larger price for the new patent than they would otherwise have had to pay. I am not saying that it is not possible to contend that such a case would be covered by the words "the interest of the State," but there may be cases where, when a Department requires raw material, the divulging of official secrets may be injurious to a Department without quite coming under the description of detrimental to the State. I only desire, in answer to the hon. Gentleman's criticism and *quasi* attack on the promoters of the Bill, to say that the words were not inserted with the sinister design which he has suggested, to prevent proper information being given. If the hon. Member can point to any information that ought to be given, but which may be kept back, there might be some force in his observations. From a drafting point of view, I do not care about the words, and, as the Secretary of State for War and the First Lord of the Admiralty think that substantially sufficient protection will be given without them, I will consent to the Amendment.

Question, "That the words proposed to be left out stand part of the Clause," put, and negatived.

Bill considered, as amended, and ordered for Third Reading.

*SIR R. WEBSTER: I would ask the House to allow the Bill to be read a third time.

Motion made, and Question proposed, "That the Bill be now read a third time."—(*Sir R. Webster.*)

SIR G. CAMPBELL (Kirkcaldy): I do not wish to oppose this Motion, but I must say it seems to me that the discussion of some measures in this House is scamped. This Bill has not been sufficiently discussed, and I venture to say it will be of no practical use until the Government have the courage to go further and punish not only those who steal information, but the receivers of the stolen goods—the newspapers. Until the Government deals with the press, nothing in connection with this matter will be satisfactory. Instead of attacking the poor clerk, the Government should go further and attack the real offenders—the people who obtain secrets and publish them for profit. I look upon the Bill as a farce, and altogether insufficient.

Question put, and agreed to.

Bill read the third time, and passed.

UNIVERSITIES (SCOTLAND) BILL.

(No. 137.)

Order for Second Reading read.

*THE LORD ADVOCATE (Mr. J. P. B. ROBERTSON, Bute): In moving the

Second Reading of this Bill, though it is one of great importance, I do not propose to make a detailed statement for two reasons: in the first place because its provisions are thoroughly familiar to every one interested in the subject. The Bill, in almost its present form, was before the House for a large part of last Session, and the Bill of last Session, like the present measure, represented substantially proposals which have come from successive Governments formed out of both parties in the State. My other reason is that I am not at all aware that it is necessary to overcome any opposition or to anticipate that there will be any prolonged discussion. The House will remember that in 1883 and again in 1885 a Scotch University Bill formed part of the programme of the Government of the right hon. Gentleman the Member for Mid Lothian, and the present Government has on three occasions introduced Bills which were substantially on the same lines. The growth of the Scotch Universities since 1858, when the last Bill was passed, has been of the most striking kind. The total number of students in Edinburgh in 1859 was 1,302, and the total number in 1888 was 3,475. The students in all the Scotch Universities in the year 1861 numbered 3,389, and in 1888 6,799. I need hardly say that the affairs of the Universities had also grown in complexity alongside of the increased numerical attendance in their halls. The methods of study have been necessarily extended and modified by experience, and there has been for a number of years a very profound and general conviction that it is time that some large changes should be made in the way of giving increased elasticity to the studies in the University and of giving a higher and popularized organization in the department of administration. The proposals of the present Bill relates mainly to three subjects. In accordance with the recommendations of the Commission of 1876 we propose to establish an executive Commission with very ample powers to modify the internal arrangements of the University as regards the course of study the conditions under which degrees are given and as regards the faculties within the Universities. I will not enumerate the various ways in which the Commissioners are given a free hand; but I am sure those who have studied the Bill will agree that it is of the essence of the proposals, which came from both sides, that there should be very ample and elastic powers given to the Commission in order to effect changes which cannot be done by direct statutory enactment. I will not dwell on that because I am not aware that except on the formulas that express some of the subjects with which the Commissioners will deal, there is any difference of opinion on the matter. We have had to consider, as our predecessors have had to do, not alone the most expedient way of describing the duties of the Commissioners, but the giving of powers which will express them with due latitude and will not restrict their action disadvantageously. Among the subjects which the Commission will have to deal with is the redistribution of the revenue of the University in cases in which it is not applied in the best way. They will consider the question of study, and they have a complete right to introduce new subjects for study. The growth of the Universities has pointed not only to the modification of the course of study in the Universities themselves, but also to their relations with extra-mural teachers being placed on a more definite footing in similar bodies in the country, and, accordingly, some recognition of extra-mural teaching will take place. There was a time when the circumstances of St. Andrew's University were regarded as so little encouraging that its extinction was contemplated but owing to the wise policy which is now accepted of establishing the University of St. Andrew's upon a wider basis by affiliating the college at Dundee, a bright future has been opened for this the most ancient of the Scottish Universities. There is one other subject—namely, the tests required to be signed by professors in Scottish Universities. With regard to those tests, it is proposed that the whole subject shall be referred to the Commission to report upon, so that Parliament may be furnished with all the facts and suggested modifications, and may subsequently deal, if necessary, with the subject without raising feelings of acerbity. This proposed reference of the subject to the Commission is in accordance with the provisions of the Bill which some years ago was brought in by a right hon. Gentleman whom I see opposite, and of the reasonableness of the

proposal I do not think there can be much doubt. The subject of tests must primarily be considered from the academic point of view, and it is most desirable that it should be settled without raising any shadow of political or sectarian feeling. The recommendations of the Commissioners in regard to other matters will be in the nature of ordinances which will be laid before Parliament, and obtain the force of law if not disapproved by Parliament, but their recommendations in regard to tests will be in the ordinary form of a Report to Her Majesty, which will be laid before Parliament. The Bill, however, besides dealing with temporary matters by the appointment of this Commission, also proposes to make permanent alterations in the constitution and to widen the powers of the University Courts. At present the finance of each University is in the hands of the Senatus Academicus; and, without any disparagement to this body and its past administration, it is deemed to be more suitable that all matters of finance should be transferred to the University Courts which represent wider and more various University interests. It is proposed to fix at £42,000 the annual charge upon the Consolidated Fund in respect of the Scottish Universities, such sum to be apportioned by the Commissioners among such Universities in such shares as they may consider just. No doubt £42,000 contrasts unfavourably with the sum of the £47,000 formerly granted, but the additional sum of £5,000 was granted to meet the expenses of the Botanical Gardens and Observatory which the Universities will not be charged with in future. This is, therefore, a mere cross entry. The calculated gain to the Universities in future will be something between £13,000 and £14,000. The grant from the Consolidated Fund will be in full discharge of all past and present claims based on present rights of such Universities to public moneys. After the expiration of the powers of the Commissioners the University Court of each University will have power to make such ordinances as they might think fit subject to the veto of the Universities' Committee, which will be a highly influential body in which all the Universities will place reliance. In conclusion I may say that in dealing with this question all parties interested in Scottish University education have desired, as far as possible, to eliminate everything that could give rise to political or academic controversies, and I trust that the Bill will be met in this House in the same spirit. The subject is, no doubt, one of great delicacy, but there has been great delay in dealing with it, and it is most important that the Bill should now at last appear upon the Statute Book. It will be of enormous benefit to the country. I hope hon. Gentlemen will bear in mind that the Bill does not purport offhand to settle a number of controversial questions, but rather to provide for their settlement by a Commission which will be given full discretionary powers. I trust, therefore, that the progress of the Bill may be expedited, and that all criticism of the details of the measure will be reserved for the Committee stage. I beg to move the Second Reading of the Bill.

Motion made, and Question proposed, "That the Bill be now read a second time."

MR. BRYCE (Aberdeen, S.): I concur in the concluding observation of the right hon. Gentleman as to the progress of the Bill, and in the hope that there will be no attempt to enter into the discussion of controversial matters. If points of detail are reserved for the Committee, a considerable step in advance will be made and the prospects of the Bill will be improved. I do not propose to move the Amendment which stands in my name, because I am anxious to do nothing which can be adverse to the Bill, and the Amendment relates to a point which can be dealt with in Committee. But I cannot admit that this point is unimportant. I agree with the Lord Advocate that it is high time that the University question was settled, as it would have been if the claims of Scotland had not been too long neglected. If they had been duly recognised this Bill would have been upon the Statute Book several years ago. There is no subject in which the Scotch people are so deeply interested as their Universities, which are in an eminent degree popular. They are the Universities of the whole nation. There has never been a time when the Universities have been restricted to one

religious denomination. They have never become torpid and practically useless; they have never been disjoined from the highest political and social life of the country; and there has never been a time when the imagination of the people has not been fired by the idea of a University training. The three chief difficulties under which the Scotch Universities have laboured are—first, want of funds; second, defects in constitution and government; and, third, the inadequacy of the teaching staff and the somewhat antiquated methods which still prevail. As to the first, the House will have heard with some disappointment the figures which the Lord Advocate has given. £42,000 is a small contribution to be made by the State when the total revenue from Scotland is considered; and £13,000 is a very small increase when it is borne in mind how much greater are the demands on the Universities, how many new studies have grown up, how many salaries have been raised, and how much scientific apparatus is in these days required if a University is to do its proper work. This expenditure is not to be considered as something given for which afterwards there is nothing to show. On the contrary, it is an eminently reproductive expenditure, not only in the greater efficiency of the students themselves, but also in the discoveries and advances in knowledge and learning which may be expected. The distinguished history of the Scotch Universities is due, not only to the trained and educated intelligence which they have produced, but also to the scientific work which they have done. Money so spent may be expected to bear fruit thirty, forty, or even a hundredfold. I hope, therefore, that the Government will endeavour to be a little more liberal in their grants. I am glad that it is proposed to enlarge the University Courts, which are confessedly not sufficiently popular in character. But the proposal is somewhat timid and hardly likely to rouse the interest or command the sympathy of the people. I hope the Government will see their way to place on these Courts a larger number of persons representative of the general outside public. In Glasgow and Aberdeen in particular the Town Council should have the power of sending two representatives to the Courts. That is not so necessary at St. Andrew's and Edinburgh, because St. Andrew's is small and the popular element in Edinburgh is already strong. In fact, the popularity of Edinburgh is largely due to the action of the Town Council of that city. In Glasgow there has always been a certain want of public interest in University matters, and with all its success and prosperity the University has never been sufficiently associated with the public life of the city. As an old student I feel a special concern with respect to Glasgow. I earnestly hope the defects of the Bill in this respect will be remedied in Committee. Questions relating to the teaching staff, the subjects and requirements for degrees, I will leave to my right hon. Friend the Member for Leeds (Sir Lyon Playfair), who was a Member of the Royal Commission of 1878, and who is more cognizant of them than I can claim to be. I think the Government have done wisely in not bringing these matters within the scope of the Bill, but in handing them over to a Commission invested with sufficiently ample powers. The excellence of the Bill will, in fact, depend upon the excellence of the Commission; and the Bill will fail if the Commission does not consist of men of sufficient ability and knowledge to grapple with the very complex questions which will come before them. Is, then, the Commission satisfactory? I am sorry to say that it appears to me to be in the last degree unsatisfactory. It is an invidious task to single out names, but I would ask those who are acquainted with the subject whether they feel safe in intrusting the control of the Universities to this Commission? We have had experience of the great Royal Commissions which dealt with Oxford and Cambridge. I can only speak of Oxford, the Commission on which consisted of men of the highest ability and reputation. Yet that Commission proved a failure; and the general feeling of University reformers is that it would have been better if the Commission had never been appointed and its ordinances had never been passed. If such was the result of a Commission incomparably superior to the one now proposed, what can be expected from the latter? Very few of the names proposed are those of persons

who have any special knowledge or sympathy with Scottish Universities; and the whole character and experience of the Commission are wholly inadequate. It is possible many of the Commissioners may be unable to give the time and attention needed for the work to be cast on them. An uncertain Commission is worse than no Commission at all, and the result of having a number of men who are purely ornamental, is that you cannot secure regular attendance. I venture to believe that the Government would have done better to nominate a small Commission of five or seven of the best men, than a large and merely ornamental Commission such as they propose. There are one or two other points which I should like to deal with, and one relates to the question of patronage. It is proposed that the University Courts should retain the patronage of the chairs which they at present hold, and that there should be no alteration in regard to Crown patronage. I regret that the Government have not seen their way to deal with the question of Crown patronage. It is notorious that the Crown appointments in Scotch Universities during the last 30 or 40 years have not been well made, and it would be a great matter if the Crown patronages were with other patronages vested in the University Courts; but if that were not done it would be an improvement if steps could be taken to secure that before making appointments the Crown should have fuller knowledge of the circumstances. The University Courts might be empowered to send up a list of candidates to the Secretary of State for Scotland. Public opinion in Scotland is not sufficiently concerned at present with these educational appointments, and the Secretary of State might with impunity make such appointments as would not be tolerated in the legal profession. I now come to the question of theological test, and the House will perhaps allow me to state shortly what the law on the matter is. Before the year 1853 all chairs in Scotch Universities were subject to the test imposed by the Act of Queen Anne, which enforced a declaration of agreement with the confession of faith and conformity with the Established Church of Scotland. In 1853 an Act was passed by which the test was removed with regard to the non-theological chairs; and thus the old test was still applied to the chairs of Divinity, Hebrew, Ecclesiastical History, and Biblical Criticism. The other professors had to declare that they would "never endeavour directly or indirectly to inculcate any opinions opposed to Divine authority," or exercise the functions of their office to the subversion of the Church of England or its doctrines. It is in fact a humiliating and embarrassing declaration which might well be omitted altogether under the Bill before the House. I can see no purpose to be served by keeping it there, and nothing could be simpler than to abolish it by one stroke of the pen. As regards Principals, the theological test was withdrawn in 1858. The Bill proposes to leave both the declaration and the test exactly as at present, and all the hope it holds out of the amelioration of the present condition is by asking the Commissioners to make inquiry and report on the subject. The Lord Advocate says that this course was taken for the purpose of avoiding a theological debate in the House, but I should think it would be impossible to hold out a more direct challenge to those who maintain that Universities should be national institutions than by referring to a Commission — a thoroughly partizan and one-sided Commission—to report upon a matter which is ready for the determination of this House. There is no reason in the world why this matter should be left open. The only point on which an inquiry is necessary is as to what ought to be done with the Chair of Divinity or Dogmatic Theology. There are those who think it ought to be disjoined from the University altogether, while others think it ought to change its character to some extent, but ought to be continued in the University. On that point there may be some case for ascertaining the opinions of persons in Scotland, but as regards the other chairs, there is nothing whatever to inquire. It is perfectly plain that the declaration of 1853 is absurd, trivial, ridiculous; it has served no good purpose and ought to be abolished. The chairs of Hebrew, Biblical Criticism and Ecclesiastical History are chairs which ought to find a place in any University course, and chairs which clearly ought not to be governed by any theological test. The Lord Advocate has said that similar

proposals were contained in the Bill of 1884-5. Well, I should have opposed them then as I oppose them now; but I may remind the Lord Advocate that in the interval the people of Scotland have arrived at a far more distinct opinion with regard to the nationalization of the Universities and the so-called Theological Faculty. I hope the Government will yet agree to insert in the Bill a clause altogether abolishing both the Declaration of 1853 and the theological tests now attached to those three chairs. I do not wish to take up more time, but I warn the Government that they will certainly imperil the passing of the Bill if they show themselves obstinate as to the theological question and the composition of the Committee.

MR. W. A. HUNTER (Aberdeen): I have listened with some regret to the speech which has just been made by my hon. colleague, because, while in the latter part of the speech he gave a conclusive reason why this Bill should be opposed, he opened his address with remarks very favourable to its early passing. This Bill is nothing more or less than a blank cheque which is to be filled up by a body of Commissioners, and though he has condemned these Commissioners in unsparing terms, yet he is sanguine enough to suppose that the Government will alter that body of Commissioners while the Bill is going through the House. I, however, am not so sanguine. I perceive in the composition of the Commissioners a set purpose on the part of the Government to defeat all the objects which the University reformers in Scotland have really at heart. I cannot accept the jejune and perfunctory statement which the Lord Advocate has made as a satisfactory explanation of the Bill. The subject of the Universities is one of vast importance to Scotland, and although on a smaller Bill—the Local Government (Scotland) Bill—the Lord Advocate came down and explained it in a lengthy and elaborate speech, yet he deals with this important subject in a speech of a few minutes' duration. It is 30 years since the Scotch Universities had an Act of Parliament reforming their constitution, and in all human probability it will be 30 years again before any real amendment can be made if this Bill becomes law. Therefore, this is an occasion of vital importance, because if we pass a bad Bill now we are injuring the highest interests of Scotland for a whole generation. I admit that in the cases of the Universities of Glasgow and Edinburgh there are some circumstances which give a certain urgency to the Bill. In these Universities they have overgrown classes and bloated salaries of professors; and if the Government would be content with a measure limited to removing the crying grievances of these Universities I would offer no opposition; but I cannot doubt for one moment that the end of this Bill would be to leave Scotland, as regards University education, in a worse position than that in which it found it. What are the blemishes in Scottish University education? Although in the Faculties of Law and of Medicine there is undoubtedly room for improvement, yet these faculties meet the wants of the people and the necessities of the time. But when we turn our eyes to the Faculties of Divinity and Arts a wholly different picture is presented to our view. The Government furnished us some time ago with a Return showing the number of students at different periods during the last 27 years. The Lord Advocate has referred to the aggregate figures, but nothing can be more delusive than the aggregate increase, because the increase took place only in the Faculties of Medicine and Law, and there is no such increase in Divinity and Arts. In the case of Divinity, what we find is, in the Universities of Glasgow, Edinburgh, and St. Andrew's, if we make allowance for the natural growth of population, the theological classes may be described as stationary. In Aberdeen there was a remarkable diminution, the average attendance having fallen from 64 to 30 between 1861 and 1885. Then, taking the case of Arts, we find that in St. Andrew's, making allowance for the increase of population, there has been no improvement in the number of students, and in Aberdeen there has been even a very slight falling off. Looking at the matter broadly, we find an enormous increase in the Law and Medical Faculties in the Scotch Universities, while the Arts Faculty are stationary. What is the reason for that? The answer is very simple. A hundred years ago the Faculty of Arts and the Faculty of Divinity were faculties which every Scotchman could look upon with patriotic pride and legitimate satis-

faction. To-day they present a spectacle of misdirected energy and wasted money. The programme in Arts is totally unsuitable as a preparation even for law or medicine, and still less for science. The Arts Faculty is adapted only—and not perfectly—to the wants of divinity students. It is a melancholy fact that every day the lay class is getting less and less attention, and we are rapidly approaching a period when the only educated class in Scotland will be the clergy. The old idea was that before a man took a degree in medicine he went through the Arts course, but in the present day very few men do so, because there is a door open by which they can at once pass into medicine studies, and the result is a scandalous state of things. The position in Scotland is a very simple one. The Arts curriculum was at one time fully up to the knowledge of the day; but now with the enormous strides which science has made in the present century the Scotch Universities are as far behind as formerly they were in advance. This is chiefly due to the innate conservatism which is always developed in Universities which foster vested interests; but it is also due in no small degree to the niggardliness of Parliament in not providing money for the expansion of the Scotch Universities as the occasion arises. Parliament has been a cruel stepmother to the Scotch Universities. If we had had a Home Rule Parliament, we should not have starved our higher education and stunted its growth. To a country situated as Scotland is, the importance of first-rate University education cannot be over-rated. We have few natural resources, not much iron or coal, not a particularly fruitful soil, and in times past, and in times to come, very much reliance on the part of the Scotch people must be laid on the education they are able to give to their children. I heard the other day an example which shows how enlightened a spirit prevails in some countries in respect to the question of higher education. The Canton of Zurich, which is not so populous as Aberdeenshire, has spent upon buildings, and the equipment of physical laboratories, £100,000, and now the Lord Advocate thinks that £13,000 a year is adequate for the future development of all the Scottish Universities. No better investment was ever made by any Canton, because the school of the Canton of Zurich draws pupils from all parts of the world. There are there more than 1,000 men from all parts of the world, and the amount of money which these students bring to the Canton of Zurich must afford, even from a material and low standpoint, no inadequate return for the investment made. Let me point out to the House what is the character of this antiquated and totally inadmissible Arts programme. In the University of Aberdeen it requires 1,580 hours to make a man an M.A., if he can pass his examination. Of this no less than 600 hours are occupied by two dead languages, Latin and Greek, whilst English literature and English language only take 60 hours. In the Scotch Universities the subjects are arranged in the inverse order; dead languages are put first, mathematics comes next with 300 hours, physics (a much more important subject) is reduced to 160 hours, logic and psychology 140, moral philosophy, 220, and all other sciences 100 hours. I ask the House not to allow this Bill to pass until they have got an absolute security that this inversion of the true order of education will be rectified, and this scandalous state of things brought to an end. I would not, if I could, abolish a single chair in the Arts curriculum. I would not deprive anyone who desired to go through such a curriculum of the opportunity of doing so; but what I do claim is that modern subjects, which are of the highest importance to the individual in the struggle for life, shall not be relegated to a back seat, and that students shall have an opportunity of obtaining an education which will equip them properly for the work they have to perform. There was a time when Latin and Greek was taught in the Scottish Universities. We spent seven years of our lives upon Latin, and five years upon Greek; but I undertake to say there was scarcely one man in a hundred at the end of that time who could read an easy book in Latin, and not one in a hundred who could read any book in Greek. For clergymen, and those who intend to be clergymen, Greek is a useful subject, and that is one of the principal reasons why we find there is a cordial unanimity amongst that class in favour of the Bill.

A measure of University reform which does not touch this subject, and which gives us no provision or guarantee that any change will be made in this antiquated curriculum is not satisfactory, and to pass this Bill without dealing with this fundamental question is to trifle with the interests and to destroy the educational prospects of a whole generation of Scotchmen. Again, it is essential that we should get the right men to teach the right subjects, otherwise nothing will avail in the smallest degree if we are wanting in this essential foundation of a rational system of education. The University Commission of 1878 suggested some reforms in the way of giving greater elasticity to the curriculum, but these recommendations did not go far enough, because the Commission was impotent from want of money. It is idle to talk of University reformers doing what ought to be done if the financial means are not forthcoming by which alone the end can be accomplished. Sir William Thompson was asked how much he required per annum for class expenses, and his irreducible minimum was £1,000 a year. What did the Commissioners do? They recommended £250 a year. If that is the way in which when you do get a really first-rate man you cripple his resources, how is it possible that the educational system can be satisfactory? Now, where is the money to come from? Nothing like £13,000 will be of the smallest use for the purpose for which it is required. We require at least 25 new professorships, new class-rooms, &c., and if we are to teach physical science as it ought to be taught, the cost of the building and maintenance of laboratories will come to an enormous sum. I object to the provision of the Bill in respect to finance, because it puts the charge of the Scotch Universities on the Consolidated Fund instead of on the Estimates, and thus deprives this House of the opportunity of criticizing the administration of the Scottish Universities, and snaps the only link that now binds the people of Scotland to the management of the Universities. There is only one fund to which we can look for this money, and that is teinds which are now employed in paying a class of ministers of one Presbyterian denomination, and the application of the money to the requirements of the Scotch Universities on a liberal scale would have the advantage of removing a political and social injustice. Now, let me say a word as to the mode of appointing professors. The importance of that question arises from the fact that the Scotch professor once appointed holds his office for life. The Scotch professor is highly paid compared with those who perform similar intellectual work in other walks of life. His hours are easy, and he has seven months holiday in the year, and yet how rarely we find that the opportunities are utilized either for the purpose of research, or for original work of any kind. If we look over the roll of Scotch professors we should undoubtedly find some who are fully worthy of their position; but it is a matter of notoriety that there is not a single University or a single year in which there are not some professors who are not even up to the level of mediocrity. Accordingly, the result is that for a whole generation the particular subject is a dead subject to the students of the University. My complaint against the Bill is this—that on a subject of first-rate importance like this it contains no provision at all. Turning to the Theological chairs, I find in the University of Aberdeen a remarkable disparity between the various endowments. I do not propose at this moment to deal with the question of the Theological chairs, but I wish to point out that there is one financial aspect of the question which the Government might, without contradicting their own principles, give some attention to. A Divinity student at Aberdeen costs the University £54 a year in endowments, whilst an Arts student takes only £4 10s. of the endowments. In St. Andrew's a Divinity student costs the University £72 a year; in Edinburgh he costs £24; and in Glasgow he costs £20 15s., as compared with £2 15s. for the Arts student. The House will see that whilst everywhere the Divinity student is an exceedingly expensive member of the University, there is a great difference to be drawn between Aberdeen and St. Andrew's on the one hand and Edinburgh and Glasgow on the other, because whilst in Aberdeen and St. Andrew's a sufficient number of students do not come forward, in Edinburgh and Glasgow there is a larger attendance, and

consequently the total amount is reduced. I would suggest that the Theological chairs in Aberdeen and St. Andrew's should be dropped, and I may say I do not think it at all necessary that every one of the four Scottish Universities should be equipped in every branch of learning to the highest extent. It might be possible to make an arrangement by which those courses of study which attract but a very small number of highly-trained and distinguished students might be so distributed that the students who wished to follow them would always find one University to which they could go. By abolishing the Divinity chair in Aberdeen you would set free £2,000 a year, which would be sufficient to provide endowments for six new chairs in Arts and Sciences. To turn to another matter, I find that under this Bill the ordinances of the Commissioners are put on the same footing as the schemes of the Endowed Schools Commissioners. I think the Lord Advocate has heard from more than one Member on this side of the House how extremely unsatisfactory that arrangement is. The House has no alternative but to accept a scheme as it stands, or to reject it as it stands. The Government of the day almost invariably supports a scheme. They carry the majority with them into the lobby, and although grave defects may be pointed out in the scheme, nothing can be done to rectify them. This has been held in the past to be a most grievous defect; and if the Government will alter that portion of the Bill, and provide that these schemes shall be brought before the House in a shape that will admit of amendments being made, I think that many of the worst fears which are entertained with regard to the Commission will be removed; because although I do not anticipate that the House could or would, under any circumstances, make many changes in the ordinances of the Commission, the fact that there lay an appeal to the House of Commons would give the Commission the strength they required—and they would require much—to overcome the resistance of the vested interests in the Universities. I will not criticize the remarks of my hon. Friend and colleague in the representation of Aberdeen (Mr. Bryce), but I do not endorse everything he has said. On one point there is no difference of opinion in Scotland. There is a unanimous conviction that this is a bad Commission, which is not to be trusted. Even the *Scotsman*, which goes greater lengths in supporting the Government than almost any Party paper conceivably could, is obliged to declare that this Commission is not satisfactory in its constitution. I do not think that fundamental questions ought to be left to such a Commission. My special grievance is on behalf of the University of Aberdeen. There are 15 Commissioners, and it so happens that the circumstances of the University of Aberdeen put it in a class entirely apart from the other Scottish Universities. Aberdeen is, in the first place, remarkable for the fact that there are so many bursaries open to competition that practically every boy who ought to get an education gratuitously does so. No less than one half of the entire number of Arts students in the University hold bursaries which yield more than the fees of the classes. In Aberdeen we do not suffer from the radical evils which, I believe, have given urgency to the demands of this Bill. Any person who is at all acquainted with the University of Aberdeen will admit that that University is adapted in a special degree for the development of physical science, and that, whatever arrangements may be made in other portions of Scotland, there ought to be a serious and determined effort so to equip the University of Aberdeen as to utilize this characteristic. I may say that although the situation of Aberdeen is so peculiar and distinct there is only one Commissioner out of the fifteen who has ever had any connection with that University at all, and he was a student before 1850, so that he knows nothing whatever about the system which has been in operation since 1860. And yet there are names of such eminence in connection with the University that they could not have been omitted from the list of examiners except on one of two grounds—either that the owners of those names were real University reformers or that they were Home Rulers. As to the University Court, the present Court is bad in its constitution, and the proposed constitution is ten times worse. The Court has but one function, the appointment of examiners, who are to operate as a check upon the

professors, and it is, therefore, essential for the proper work of the Court that the professional element should not dominate it. But, Sir, we know that in the existing University Courts no person is ever appointed who is not known intimately to the professoriate. That is the evil of the system in the present constitution of the University Court—the public are not represented, it is overrun by the professoriate. In looking at the composition of this University Court, we must consider how it works out practically, how many members are likely to be present at the meetings, and how many absent. The Rector will be absent, because usually the students select for the office some distinguished man, and in consideration of his inaugural address they forego the advantage of having him as a member of the University Court. Looking at the composition of the proposed Commission, we cannot doubt that the professorial element will be supreme, and the University Council is about the worst body to elect a Member of the Commission that the ingenuity of man could devise. They are a very large and scattered body, who can only be communicated with by letter, and when a candidate is proposed, not one out of every ten graduates will ever have heard his name; they will vote entirely in the dark and will be governed purely by party considerations. As a representation of University opinion it will be most unreal and feeble. Indeed, I do not think that the warmest admirer of the Act of 1860 can approve the University Council. These, then, are the objections I have to the Bill. I do not find that its authors have considered the requirements of Scottish University education, and they have appointed men who possess in no degree the confidence of the public, or even of the warmest supporters of the Government, and I can come to no other conclusion than that it will leave the University curriculum in as miserable a plight as it is in now. If the Government had given any indication of its intention to adopt a more satisfactory view of the question I should have been as anxious to facilitate the progress of the Bill through Committee, as, as at present advised, I feel disposed to do all in my power to resist it.

*Mr. J. A. CAMPBELL (Glasgow and Aberdeen Universities): The hon. Member for North Aberdeen has drawn a very dark picture of the Bill and of its effect on Scottish University education, but I hope the House will not be carried away by his criticisms. He seems to think that nothing could be worse than the proposed constitution of the University Courts, but the fact is that the general opinion in Scotland among those who have been paying attention to the subject for years past is in favour of the Bill as a whole, and of this particular in it. The hon. Member's description of the sad condition of University education appears to me an argument in favour of passing the Bill rapidly, as supplying an instrument for correcting the terrible evils he depicts. The hon. Member has stated that the attendance of Divinity students at the Universities in Scotland shows a decided falling off, but I think he leaves out of consideration in instituting the comparison between the attendance of Divinity students now and the attendance years ago, the changes that have affected the attendance of these students. Years ago we had the attendance of large numbers of students at the Scottish Universities from England, because they could not find access to Oxford and Cambridge. But within the range of the years mentioned by the hon. Member additional colleges have been opened in the North of England and in Ireland, whence also many students formerly came to study at the Scottish Universities, and so it is that of late years we have been left to our home supply of students not supplemented by many coming from England and Ireland. Then, again, within the last 30 or 40 years, there has been instituted what I may call a competing system at home, in the theological halls connected with the Free Church, the United Presbyterian, and the Independent churches. It would be no small matter if in these circumstances the Divinity classes at the Scottish Universities held their own in point of numbers. In instituting a comparison between the increase of population and the increase of students we have to consider whether there has been any proportionate increase in the means of teaching the students. There has been no considerable increase in the number of chairs, and if we only find that there

has been as good an attendance at the Divinity Halls as formerly, then we may consider the Divinity Halls to have held their own, and that they are entitled to every consideration, so far as attendance of students is concerned. From the Return laid before Parliament, on the Motion of my hon. and learned Friend, I find that the state of the case is as follows:—In the year 1872-3 the attendance at Divinity Halls in the Scottish Universities was 188, in the next year 177, then 185, 197, 192, 175, and so on. In 1882-3, 265, and then 276, 274, 279, 290, 274, and this year I have ascertained it has been 285. So that there has been a considerable increase notwithstanding the additional opportunities given for theological education to young men in other places. The hon. and learned Gentleman has given us some statistics as to the comparative cost of theological and of arts students, but I hope he has been more careful with his figures than he was last Session, when he insisted that the attendance of Divinity students at Aberdeen University was 18, against my contention that the number was 32. I was afterwards able to show him from his own Return that he was mistaken, and that he had taken the wrong column, giving the students in the Faculty of Law instead of that of Divinity. I would thank the hon. Member for the other division of Aberdeen for his powerful plea on behalf of the Scottish Universities, and the services they have rendered to the cause of education. Though I could not go with him in all that he said, I found much to admire in his speech. I hope the House will accept the Second Reading of this Bill without a long debate. Long have we waited for the Bill. The last University Commission reported so long ago as 1878, and their Report showed the necessity for this legislation. A Bill was introduced but not discussed in 1883, and again in 1884 and 1885. It was only last year that a Bill was discussed and passed in another place, and the present Bill is substantially a reproduction of that of last year. It has passed through the ordeal of one discussion, and, although it only now receives discussion here, it deals with a subject which has been thoroughly considered in Scotland, where for a long time it has occupied the attention of those interested, not only as an academical question, but as affecting the whole progress of Scotch education. Allusion has been made to the action taken and the opinion expressed by the General Councils of the Universities, and perhaps my English friends need to be informed that these Councils consist of all the graduates of the Universities, and that they have an opportunity of meeting together every half-year, and discussing University subjects, and in this way these subjects are thoroughly discussed at the Council meetings and in the Press. Besides this, the more active reformers, especially in the Universities of Edinburgh and Glasgow, have formed General Council Associations, and these Associations have dealt with this Bill, and it is something to be able to say that there is a general concord among all parties, in the Associations, and in the Councils generally, as to the substantial merits of the Bill, and the desirableness of its being passed into law. My hon. Friend made a remark which was rather disparaging to the General Councils as public bodies whose opinion was entitled to consideration. It is not the fact that the General Councils are mostly clerical. The medical profession is well represented in them, and that and the legal profession combined certainly place the clerical numbers in a minority. There is a general disposition to accept the Bill arrived at by concessions on both sides. No doubt some reformers would wish the Bill to go further than it does, while there are others who think it would be better if it did not go so far. There are proposals in the Bill which although many are willing to accept them for the sake of harmony and with a view of getting on with improvements in our University system, are looked upon with some degree of anxiety. For instance, take the transference of the administration of the finances from the Senates to the new Courts. The Senates have done their work well, and much of it gratuitously. It has yet to be proved that the Courts will manage the finances better, while their management will certainly be more expensive. There is danger, too, which will have to be guarded against, that the new body, which is larger and has more varied interests, may let the daily administration of affairs fall into the hands of the officials. As to the affiliation of colleges and

the subject of extra-mural teaching there has been much discussion, and the Bill presents what may be considered a practical agreement among those interested. These subjects are entrusted to the Commissioners to deal with, subject to certain conditions laid down for their guidance. I trust the Lord Advocate will accept an addition to the Bill such as is found in the Act of 1858, under which the Universities are at present managed, securing as much uniformity as possible in examinations and the conditions under which degrees are conferred. There is one part of the Bill as to which I may say there is general dissatisfaction in Scotland—I mean the financial provisions. I am sorry that my hon. Friend the Secretary to the Treasury is not here, for it is to him rather than to the Lord Advocate I would address a word or two of remonstrance on this head. The financial provisions of the Bill are quite inadequate. We are, however, faring no worse at the hands of the present Treasury than we fared in former years from their predecessors in office. Ever since a Bill on the subject was introduced in 1883 there has been the same obduracy on the part of the Treasury to the claims of the Scottish Universities. But however inadequate these financial proposals, the friends of the Universities are prepared to accept them simply because the provisions are not final. There was a clause in an earlier Bill that made the proposed charge upon the Consolidated Fund a grant in satisfaction of all claims of the Universities for all time, but that finality clause is removed, and these financial provisions, inadequate as they are, cannot be considered as shutting the door against University claims in future Sessions when good cause can be shown for an increase. It has been said that we are offered an addition of £13,000 a year to the assistance now received. From that, however, must be deducted £800 already due to the Universities of Glasgow and Aberdeen to repair past omissions. There is, therefore, only £12,200 to divide among the four Universities, while they are at the same time burdened with new charges. For instance the pensions for professors and the cost of maintenance of buildings, although fluctuating charges are to be met out of a fixed amount based on the average charges of past years. The Royal Observatory at Edinburgh is to be left a charge on the Treasury. I think the Observatory at Glasgow has equal claims upon the public funds, although it is attached to the University. It has the same claim as that of Edinburgh on the ground of public services rendered. In the Report of the last University Commission on which we may say the provisions of this Bill are founded there are numerous recommendations of desirable and, indeed, indispensable additions to the Universities. Those recommendations represent a charge which cannot be anything like met by the increased grant now proposed. At Glasgow alone the recommendations, although cut down below the demands which were urged, amount to above £4,000. Yet Glasgow is only to receive its share of £12,200. The mode of administration which the Bill sets up will be much more costly than that which has existed heretofore, for there will be less gratuitous service rendered under the new system, and the cost will have to be met out of the University funds. Then, what is to be done about compensation to professors whose interests are injuriously affected by ordinances passed under this Act—as is provided in Clause 14 of the Bill? Where is the money to come from? It may be a considerable amount. Is that sum to be taken from the University Fund to the sacrifice of University reforms? It is not unlikely that the Commissioners may have to report to the Treasury that there is a deadlock here. It is, at any rate, certain that to put a charge of this kind upon the general University funds will be to stop instead of to promote reforms. But it will be said that this grant from the Consolidated Fund is sure to be supplemented by private benefactions. I have no doubt that the stream of private benefactions to the Universities has been stopped for some time because of the uncertainty and the delay of legislation. When this Bill is carried people will know what the Universities are to be, and I have no doubt there will be considerable contributions from private benefactors. Benefactions, however, are given for specific objects—not for general purposes or for such things as pensions and compensation.

I am sure that liberal treatment by the Government of such institutions as Universities is likely rather to stimulate than to check private generosity. A public grant is a recognition of the importance of the institution, and a pledge that it will not be allowed to languish. The Universities of Scotland have already felt the results of what I may call spasmodic liberality on the part of Government. When, some years ago, £120,000 was granted for new buildings at Glasgow, it was supplemented by private benefactions to the amount of £280,000, and the grant of £88,000 to Edinburgh has likewise been followed by very large private contributions. I trust that similar favour will be extended to Aberdeen, where it is very much needed, and I feel sure it will be attended there also with similar results. Unsatisfactory as its financial provisions are, the Bill will be welcomed, because it will put an end to a state of suspense which is injurious to the Universities, and because it provides machinery and gives powers for effecting much desired improvements, especially in the addition of new Chairs and in giving greater variety to the curriculum of study. As to the curriculum, the recommendations of the last University Commission, which are given effect to in this Bill, will go some way towards satisfying the wishes of the hon. Member for North Aberdeen. Another argument for passing the Bill is that it introduces a system of administration and government which will give the public a greater interest in the affairs of the Universities, and thereby, it is to be hoped, will secure further support and co-operation from the public in the promotion of higher education in Scotland. Objection is taken to the Bill because it does not abolish all religious tests, and because it does not remove all restrictions as to Church connection in the Divinity Chairs. The Bill proposes that the Commissioners shall take evidence—

"With a view to ascertain whether any, and what changes, as to the subscription of tests by the principals, professors, and other University officers are necessary and expedient, and shall make a special report on that matter to Her Majesty."

I know there are hon. Members who think we ought to have no Chair of Theology in the Universities at all. But we must remember what the history of the Universities has been in relation to theological teaching. The Treaty of Union, although it may have been modified in particulars, has never been put aside altogether in the legislation of the country. The Act of Security, which is incorporated in the Treaty of Union, sets forth:—

"And further, for the greater security of the foresaid Protestant Religion, and of the worship, discipline and government of this Church as above established, Her Majesty with advice and consent foresaid, statutes and ordains that the Universities and Colleges of St. Andrew's, Glasgow, Aberdeen, and Edinburgh, as now established by law, shall continue within this kingdom for ever."

That means that in the opinion of those who legislated at that time, the Universities were to be maintained for ever for the sake of the Protestant religion. It is, therefore, going very strongly against the current of past history if the teaching of religion is to be excluded from those institutions. Then as to the subject of religious tests. What representations have been made to Parliament on the subject? They have come from a Committee of the Free Church, and from a Committee of the United Presbyterian Church. I do not think it is uncharitable to say that these representations form part of a disestablishment movement. In fact my hon. and learned Friend has plainly said that he thinks that the teinds of the Church of Scotland should be used for further endowing the non-Theological chairs of the Universities. Now, singular as it may appear, this objection on the part of non-established churches in regard to the Theological Chairs of the Universities is comparatively new. In 1876, Lord Ardmillan, who was one of the University Commissioners, said he thought he could say that there was no Nonconformist in Scotland who grudged to the Church of Scotland the entire possession of the Theological Chairs. This Bill does not object to some modification; it merely proposes the subject as one for inquiry and Report by the Commission. What does the Church of Scotland say, which is represented as holding a monopoly to which it is not entitled? The Church of Scotland makes no objection to this Bill, although there is this clause in it proposing an inquiry. The General Assembly has petitioned in favour of the passing of the Bill. But it may

be asked—Why should the Commission inquire into and report on the subject? It is because it is a delicate and difficult subject requiring careful handling. A good deal of evidence regarding it was given before the last Universities' Commissioners, but without the result that any practical reform was suggested which the Commissioners felt able to recommend. It may be seen by reference to the evidence that the theological professors who were examined showed no desire whatever to retain the present restriction of their Chairs to the Church of Scotland, provided there was some other satisfactory security for the interests of religion and the education of the students. What the Church required was security for the religious training and teaching of the young men preparing for its ministry. It is to be remembered that the University in Scotland is not merely a place for scientific research, it is a place for professional training as well. If we had theological professors about whose religious opinions we had no knowledge, or over whom we had no control, the question is, would the Church of Scotland send her students to them—would any Church send students to them? The Free Church and the United Presbyterian Church would not. So that we should run the risk of having professors without students. This subject was taken up by a learned Member of last Universities Commission, Dr. John Muir. He has left an interesting note in an appendix to the Report, in which he says—

"In the existing state of theological opinion in Scotland it would not be safe to exempt the professors elected to these Chairs from subscribing the Confession of Faith in some form or other."

The question being thus a different one, the Government has done well to adopt the clause which was contained in the Bill of the right hon. Gentleman the Member for Clackmannanshire in 1884 and 1885. Something has been said about separating the Chair of Systematic Theology from the three other Chairs in the Divinity Faculty, but there are differences of opinion as to whether that is practicable. This shows that the subject is one which has not yet been fully examined and discussed, and is in favour of leaving the Commission, now to be appointed, to inquire into and report upon it. As to the declaration still required from the professors in the non-Theological Chairs, I will not say there is a strong case for retaining it. But this I will say, that it has not been practically found to be any grievance. The Universities have members of various Churches in their lay Chairs, and I do not know of any instance in which the Universities have lost the services of a good man for one of their Chairs because of the declaration which he was required to make. These objections to this Bill, which may, I think, without offence be called sectarian objections, because they are aimed at the position of the Established Church—objections of which we have heard very little in Scotland outside of certain Church Courts, I hope will not be allowed for one moment to retard the progress of this Bill, so earnestly looked to by all who are interested in University education in Scotland.

MR. HALDANE (Haddington): The tenour of the remarks of the hon. Member who has just sat down appears to me to show the absolute necessity for a reasonable amount of discussion on this stage of the Bill. In what he has said as to the abolition of tests in the Scotch Universities, and the small attendance of students at theological lectures, he appears to forget that in Germany, the only country where theology is scientifically taught, the students flock to the professorial lectures; and that in Germany there are no tests. I hope that in Committee some attempt will be made to deal with the question of principle in regard to tests. I shall feel bound to vote against every Amendment to the Second Reading of the Bill, which is founded on the subject of tests, because I regard the measure as one of too much importance to be rejected on the theological question that has been raised. The question of the details of the arrangement of the Theological Chairs, and the general subjects of instruction, as distinguished from that of the general principle, are matters for the Commission and not for this House. There are circumstances peculiar to the subject of this debate which account for the empty state of the benches opposite. The quadrangles of the Scottish Universities are so remote from the scene of discussion, that it is not surprising that English Members

find the subject a somewhat abstract one. Another source of difficulty to those who are anxious to learn something about it is that there are not only differences of opinion between those on these benches and the benches opposite, but that there are also differences between those who sit on these benches, such differences, for instance, as exist between the Members for North and South Aberdeen. But amid all the differences of opinion that arise it is undoubtedly true that there is a very great deal upon which all in Scotland are agreed. This is a more important question for Scotland than the reform of the Universities of Oxford and Cambridge would be for England, because, while out of a population of nearly 30,000,000 Oxford educates only 2,500 students and Cambridge about the same number, Edinburgh educates 3,475, Glasgow 2,188, Aberdeen 918, and St. Andrew's 218, out of a population of something like 4,000,000. The Universities of Scotland, therefore, are matters of national concern—matters upon which the national life in a not inconsiderable measure depend. My hon. Friend, the Member for North Aberdeen has said that the measure is more important to Edinburgh and Glasgow than to Aberdeen and St. Andrew's, and if this be true it should not be without weight in determining the attitude we should take up on the Second Reading that Edinburgh educates three or four times the number of students educated at Aberdeen, and Glasgow between two and three times the number, while the proportion at St. Andrews is altogether insignificant compared with that at the other Universities. I have come to the conclusion that while this Bill is open to grave criticism in a few respects, the advantages it offers enormously preponderate. It will, therefore, be a source of profound dissatisfaction to a large number of persons in Scotland who were interested in the Universities, if the progress of the Bill be further delayed. At present the administration of the University revenues is in the hands of the professors, a distinguished body; but men cannot be made both judges and advocates in their own case without prejudice to the interests of justice. It is true the Scotch Universities have not very large endowments, but there are enormous emoluments derived from fees paid by the students. There are very few Chairs in the English Universities where the professors receive more than from £700 to £1,100 a year; but in Edinburgh a very distinguished professor of anatomy receives £2,811 as net profits in 1886-87. That is a sum which would maintain seven German professors, and ought to maintain three Scotch professors. The professor of the practice of physic receives upwards of £1,600 a year, and in addition he has the largest private practice in Edinburgh. The heavy work of looking over the examination papers is done in many cases by the assistant, and the professor, who does very little new work, has five or six months holiday in the year. Of course, there have been professors who have done good work in the Scotch Universities, but they have done it in the teeth of the system, and not because of any stimulus they have derived from it. It may be asked "How comes it, if the system is not the best you could have, that the classes maintain their large numbers?" Well, the secret is to be found in one of the scandals this Bill ought to rectify — namely, the examination system. Under this system it is impossible for an extra-mural teacher to compete with the University professor, because the control of the examination for degrees practically is in the hands of the latter. I am aware that it is the practice to appoint for the purposes of examination for degrees along with the professor an assistant who is equally responsible for the papers; but this examiner is always the younger man, the professor speaks with authority, and as a result he has a preponderating and far too great a voice in the administration of the examination system, and while that is so it is impossible for the extra mural teacher to compete in any way with his more favoured colleague. I do not think it necessary to go into detail on this matter, as it has been the subject of a great deal of controvery in the Scottish press during the last few years. I would only point out that there have been constant complaints that the professors in setting the papers are always likely to frame them upon their own

text-books, and reports of lectures, which are in some cases delivered in the same words every year, but which a recent judgment of the House of Lords does not allow to be published. The inference is that a common University chest ought to be established into which all fees should go, and out of which the professors should be paid. This would get rid of the tendency on the part of the professors by various methods to enlarge their classes, and would reduce the competition between them and the extra-mural teachers. Another thing which is wanted is a complete reform of the examination system. I do not mean that it should be taken completely out of the hands of the teachers in the Universities; but I do mean that the extra-mural teachers should have some share in it. They should have at least an equal voice with the professors. You should also, as far as possible, and I am glad to think that the Bill recognizes this, separate the teaching from the business affairs of the University. The business ought to be exclusively in the hands of the University Court. Now, having said so much, I come to the Bill, and I should like to say a few words as to how far, in my opinion, it gives effect to the objects we all have in view. No doubt, as was said by the last speaker, there is great agreement in Scotland on the subject of the reforms that have to be made; but the hon. Member was wrong when he said there was comparatively little reason for the discussion of the details of the Bill. The question is, how far do the details give adequate expression to the demands that are being made throughout Scotland? The Bill ought, I think, in terms to extend the extra-mural system, to popularize University teaching, and make it accessible to a larger number of people in Scotland than at present, and to reform the constitution of the Universities. With regard to the first two of these points, the Bill leaves them to the Commission. The third it deals with. My criticism as to the first two, is on two matters. In the first place the Commission is not at all a satisfactory one Were it not that the Chairman is a judge of distinction and of most judicial mind who will approach the matter in a thoroughly fair spirit I should despair of the Commission doing any good; but as the Chairman is, after all, the most important person on the Commission, it does seem to me that the character of this President gets over in some degree the disadvantages of the composition of the Commission in other respects. Then, I think, it is greatly to be deplored that recognising, as we are recognising, the necessity of extending the system of extra-mural teaching in Scotland, of reforming the examination system, and carrying out other points, there should have been no indication in the Bill to the Commissioners as to what their duty is to be in regard to these matters. They are left to exercise their own free will, not only with regard to details but the principles they are to apply. In the matter of religious tests, and in a dozen other matters, we ought to indicate the principles on which the Commissioners are to act, leaving them free as to details. I protest against the notion that it is satisfactory that it should be left to the discretion of any Commission to say what form the changes in our Universities are to assume without giving them instructions as to the spirit in which they are to approach the consideration of the matter. As to the third point—the reform of the constitution of the Universities—I must say I think the Bill is an excellent one. I speak in this matter, no doubt, with somewhat of an Edinburgh prejudice. I know this—that the University Council that is to send four members to the University Court will do its duty excellently. As to what the hon. Member for South Aberdeen said with regard to the absence of a sufficient Town Council influence in this matter, I must say that our experience of the interference of the Edinburgh Town Council in University matters has not always been satisfactory. In 1858 an Act was passed that took the control of the Universities out of the hands of the Town Councils, and because the new system has not been found satisfactory it is no reason why we should revert to a plan which, certainly, so far as Edinburgh is concerned, did not work well. The powers of the University Courts seem to me quite adequate. The students are to be represented, and that is a great feature, for I consider that a University should be regarded as a kind of democracy where there is citizenship and where all internal affairs

should be under the control of the various classes interested. The Students' Council is a thing the students have to thank the Lord Advocate for. It is satisfactory, I think, that there should be stringent provisions as to audit. Those provisions, I think, are most useful. Upon a careful review of the advantages and disadvantages of the Bill, I deem it my duty to support it, and I certainly should hesitate to put an obstacle in its way. I, however, hold myself free to initiate and support in Committee Amendments which will render the measure more effective for its object. I do not feel sanguine that we shall be able to get any more money, nor do I think we are in great need of money in the Scotch Universities. We have got large emoluments which come in the form of emoluments to professors, and fees, and we have a large number of small endowments in the form of bursaries, some of which are not applied to the best possible purposes; but, knowing the importance of University teaching in Edinburgh, I should have been glad to see another £10,000 a year go to the Scotch Universities. Recognising the demand and necessity there is for the Bill, while I agree with many of the criticisms of the hon. Member for North Aberdeen, I cannot, as a Scotch Member, take the responsibility of throwing the slightest obstacle in the way of the Second Reading.

MR. E. ROBERTSON (Dundee): The hon. Member who has just sat down has proved himself on the whole a very strong champion of the measure. He considers the balance of advantage overwhelming. I am afraid I cannot take the same view, though in the end I shall probably come to the same conclusion. I feel that the balance of advantage is very dubious. I wish to say a word or two first about the constitution of the Commission; and, secondly, about the group of ecclesiastical or religious questions likely to be raised in connection with the Commission. You are proposing not merely an executive, but a legislative Commission, which is to make laws and will settle the future of the Scotch Universities for the whole of this generation. Most of us may make up our minds that if this is passed we shall not again have an opportunity of bringing under Parliamentary criticism the state of University education in Scotland. That fact invests the Commission with the highest degree of importance. In such a Commission there are two requisites we are entitled to insist upon in its membership. It should be constituted of men who have a large practical acquaintance with the Scotch University system, who have a knowledge of the wants the Universities are intended to supply, and of the way in which as at present constituted they supply these wants. In the second place, it should consist of men in thorough sympathy in popular feeling in Scotland in matters of education. Can it be said these requisites are met by the Commission now proposed? I do not think I can subscribe to that assertion. I find that the Commission, as a whole, is neither academically competent nor politically sound. I do not find either that the members are experts in education or that they are distinctively Scotch in feeling, either in the matter of education or in any other matter. There are, no doubt, notable exceptions. My hon. Friend (Mr. Hunter), who represents the Liberal Party in the constitution of the Commission, undoubtedly has a large acquaintance, not only with the University system of Scotland, but with that of England as well. The hon. Member for Manchester (Sir Henry Roscoe) unquestionably may be taken to represent, if not the ancient University system of England, at all events the modern system which has acquired so much importance. You are proposing to set up a Commission which, as a body, is more or less of an aristocratic character to make laws for a group of Universities whose main characteristic is that they are thoroughly Democratic. I do not think it would be fair or competent for me to inquire into the religious professions of the members of the Commission; but it is obvious at a glance that most of them may be suspected of being Episcopalians—and Episcopalians of the kind who will, no doubt, once more perpetrate the ghastly farce which they have perpetrated so often—that of seeking to perpetuate in Scotland Presbyterian tests in which they do not for one moment themselves believe. The hon. Member for South Aberdeen (Mr. Bryce) has referred to the Commission that dealt with the English Universities. I happen to be one of

the comparatively few Members who have had practical experience of direct contact with that Commission, and I am bound to say that that experience makes me doubly sensitive as to the constitution of the one now proposed. That Commission was, as compared with the one now proposed, immensely strong; moreover, it was distinctly academic. Every Member of that Commission had been a member of Oxford University, while on this occasion very few of the Members know anything of the Universities of Scotland. That Commission, however, was like the present one in that it was more or less ornamental and more or less aristocratic. One of the most distinguished persons who sat on the Commission gravely argued that he saw no reason why the two subjects of anatomy and physiology should not be taught by the same professor. And this reminds me of a similar extraordinary fact in connection with the University system as left by the last Scotch Commission. In the University of St. Andrew's the Commission created, or sanctioned by permitting it to continue, this monstrosity, which the House will hardly credit. At that University in my day there was a professor whose modern combination was indicated by the words "Civil and Natural History." The Oxford Commission has created new vested interests, and has turned the whole resident University into a howling wilderness of Unionists. While, on the whole, it did a great deal in the way of satisfying the resident members of the University, in relieving their tender consciences by sweeping away most of the clerical restrictions, and in permitting matrimony and otherwise making things comfortable, I do not know that it has added greatly to the strength of the University. It has failed, and, I believe, of set purpose and intention, to throw open the great national endowments of the University to the children of the poorer classes. Well, I do not believe that from an inferior Commission like the present we can expect much better results when applied to the democratic system of the Scotch Universities. I will throw out the hint, however, to the Lord Advocate that the Oxford Commission was much smaller than the present one, and consequently a much better one. One hon. Member has claimed recognition on the Commission for certain public bodies, and in that connection I do not see why, on a Commission of this kind, there should not be a representative of the teaching body generally in Scotland. Besides the constitution of the Commission, there is the controversy about the group of theological questions to which reference has been made. First of all, there is the question of the religious tests which are at present imposed on professors in the University; secondly, there is the question of the Theological Chairs; and, thirdly, there is another question which is not alluded to in the Bill at all but which demands attention I refer to the association of the Training Schools with the Universities. By a singular concurrence of evils, the whole education question of Scotland is in the hands of the House, at all events so far as its relation to religious teaching is concerned. The ingenuity of my hon. and learned Friend (Dr. Hunter) forced into the Local Government Bill the consideration of religious teaching in schools. We have the same thing raised as to the Universities by this Bill; and I venture now to add a third thing — namely, the state of the Training Colleges. Taking all these together, we have the whole religious character of the Scotch educational system in our hands, and if we are only prepared to do it we can deal with it at the present moment. The psychological moment has come, if I may use the expression, for relieving the educational system of Scotland from anything of a sectarian and denominational character whatever; and I greatly fear that if we have not the courage to seize upon the present opportunity, and if we allow the Bill to pass in its present condition, that opportunity will be lost; nay, more, the well-meant effort of my hon. and learned Friend (Dr. Hunter) will end in this, that instead of being extinguished all through the Scotch system, the sectarian character of the education will be re established—and more firmly re-established than ever—in the elementary schools of the country. With regard to religious teaching, I will not trouble the House again with the declaration which the professors are required to subscribe.

The professor of chemistry, or theology, or natural history, is required to bind himself—

"Not to teach any opinions opposed to divine authority, to the Holy Scriptures, or the Westminster Confession of Faith, and that he will not exercise his functions to the prejudice or damage to the Church of Scotland as by law established,"

and so on. Not only is that so, but it is the duty of the Lord Advocate to keep a sharp look out upon him to see that he does not, and if he thinks that the professor has failed in his obedience to these ridiculous declarations, it is his duty to apply to the Crown for the issue of a Commission which shall try the Professor who has been unfaithful to the Church of Scotland and the Westminster Confession of Faith, and shall deprive him or otherwise punish him. Sir, the hand of clericalism has been too long fastened upon the education system of Scotland, and it now ought to be removed. As far as tests are concerned, I cannot consent for one moment to treat them as a doubtful question. All doubt has vanished from our minds on that subject. We cannot consent for a moment to do what the Commission proposes. I have not named any member of the Commission yet; but if it is intended to select an hon. Baronet, who is a Scotchman by birth, but sits for an English constituency, and who is thrust into all Committees dealing with Scotch affairs, do you think for one moment that we on this side of the House will consent to authorise Sir Charles Dalrymple to take evidence on the question whether these tests should be imposed upon Scotch professors, and to report to this House such opinions as he might come to? The idea is preposterous. We must fight this question of tests to the last. The next point has relation to the Chairs of Theology. Although belonging to the same category, that is a question of a different kind to the question of tests. Here, again, I do not think we should trust the hon. Baronet opposite with the duty of taking evidence, though I am not sure whether that duty is imposed upon him. The defection is that the Chairs of Theology are subject to all the restrictions under the Bill that have hitherto prevailed. On this point, Liberal opinion is practically unanimous in Scotland. For my own part, I believe that if a census of opinion were taken it would be found that the great majority object not merely to a Chair of Divinity but to a Chair of Biblical criticism also. The Chairs of Hebrew and Biblical criticism ought to be relegated to the Arts course, and Ecclesiastical History ought to be associated with some other branch of History, civil or natural. The tests and the Chairs of Theology as they now stand involve a condition of things which is dishonouring to learning and degrading to the Universities. Their existence and their restrictions tend to sap the intellectual honesty of men who ought to be patterns of intellectual honesty and courage to the whole community. There is one other point—that with reference to the Training Colleges of Scotland. Although elementary education in Scotland is not, unfortunately, entirely free from sectarian bias, (and I hope we have the courage on this side of the House to fight for its freedom) still, as between the great religious sects into which Scotland is divided, it may be pronounced to be undenominational. Practically, all your schools are Presbyterian. Your Free Church schools in Scotland have dwindled away, and of the Roman Catholic and Episcopalian schools there are very few, so that a vast proportion of the elementary schools are still Presbyterian in this one respect, while although Presbyterian schools they are unsectarian. But what is the state of the institutions which you have created for providing teachers for these unsectarian schools? It takes the schoolmasters through the agency of purely sectarian societies. Does the House realize how enormous a sum is spent in this way? You are giving the Scottish Universities an annual sum of something like £12 000, and the grant to the Training Colleges is very nearly of the same amount. Notwithstanding the abortive inquiry of the Departmental Committee, it is impossible to maintain that the efficiency of these institutions has been proved to the satisfaction of the House. Even in the opinion of a Committee so biased as I still think that Committee was, these institutions are not efficient for the purposes for which they are intended. That flagrant fact stands out. I hope that the Scotch Liberal Members when they get into Committee will take

this question of the Training Colleges into much more serious consideration than they have yet, and that they will insist upon these sectarian institutions being brought to an end. I trust that they will insist that this enormous Parliamentary grant, which is now being wasted on inefficient institutions, shall be applied to proper purposes. If they do this, they will not only effect an immense thing for the country by producing a better kind of elementary schoolmaster, and in that one thing alone doing an immense service to the Universities of Scotland, but if you eliminate from these three Universities the work of superintending the general training you will be endowing them with a fund which will go a long way towards relieving them of the pecuniary distress from which they have suffered. I have now said all I intend to say in the shape of criticism of the Bill at this stage. I perceive that it is useless for me to move the Amendment of which I have given notice, because it is the evident intention of those on this side of the House to allow the Bill to receive a Second Reading. I may, however, express a hope that our generosity in this respect will not be misconstrued, but that it will to some extent be rewarded by the Government; because if the criticisms that have come from this side of the House as to the constitution and powers of the Commission, and the question of tests, are not met in a frank and conciliatory spirit, the result will be that the calm passage the measure is now enjoying on the Second Reading will be turned into a very disturbed and stormy voyage when the Bill finds its way into Committee.

*Sir A. CAMPBELL (Renfrewshire): I am glad to find that as the Bill now stands it has in its favour a large amount of the public opinion of Scotland. I own that there are details which those who are more conversant than I am with the University system of Scotland are better able to criticise; and in all probability these will be so well looked after in Committee, that I trust we shall find that a measure will be framed such as we in Scotland have been looking forward to for a long time. Several hon. Members opposite have used somewhat strong expressions in the criticisms they have passed with regard to the constitution and powers of the Commission to be appointed for the purpose of carrying out the provisions of the Bill. I have been told by those who have had the responsibility of framing this Commission, that it has been their desire to make it as strong as they possibly could, while it has also been their wish that it should be as responsible a body as can be constituted. One of the difficulties that have stood in the way has been, as we have seen, to get the assent of those gentlemen who were deemed most desirable to act on the Commission. I think I may say that the Government will be very glad to strengthen the Commission so that it may be as strong as we wish to see it, and fully able to do what all of us wish to see—namely, to ensure the good and efficient working of this measure for the best interests of Scotland. Reference has been made to the name of the hon. Member for Ipswich (Sir C. Dalrymple), and I think I am justified in saying there is no man in this House who would be found to enter into the work of the Commission more thoroughly, more conscientiously, or with a broader mind, and greater desire to do his duty than the hon. Baronet. I think, therefore, that the attack which I regret to say has been launched against him ought to be answered, and, for my own part, I cannot conceive why it should have been made at all. In every position of life in which the hon. Baronet has been placed, he has always done his best, and has been enabled to bring an extraordinary amount of ability to bear on all questions with which he has had to deal. With regard to what has been said in reference to the question of religious tests, I think it augurs well for the way in which this Bill has been prepared, that this seems to be the crux upon which all the speakers on the opposition side of the House have fallen foul of the measure. But even on their own confession this matter of tests has nothing to do with the educational question, and it must be remembered that, after all, it is the education of Scotland which we desire to improve, and for which we are anxious to pass the Bill, and not for any purposes of a sectarian character. When, however, I consider the necessity of maintaining the purity of religion which has so long prevailed in my country, and by which I believe Scotland has been raised up to

its present position, I strongly fear, from the personalities employed by the hon. Member for Dundee (Mr. E. Robertson), that he is in favour of having no tests whatever on the part of those who are engaged in teaching the fundamental part of that religion which has done so much for the Scottish people. I must express my earnest hope that in the affiliation of the colleges to the Universities we may be enabled to see a great extension of the good which has already been done for Scotland by the University system. I am quite aware that in affiliating the colleges and thus bringing other bodies to bear on the government of the Universities we might be lowering the position those Universities have hitherto held, and the distinctions they have been in the habit of conferring; and we must bear in mind that it is the position the Universities hold throughout the country which makes the prizes they give valuable and really worth having when bestowed. Therefore, I trust that nothing will be done to derogate from the position in which the Scottish Universities now stand, and that all the safeguards which may be thought necessary for ensuring this object will be insisted on. I have always taken the greatest interest in the position of the Universities of Scotland, and I may be allowed to express a hope that if possible the Government may see their way to increase the grant of money now given to those institutions. We must not forget that from the very first they have done a great deal for the technical education of Scotland. We must remember that, owing to the Glasgow University, the germs of the steam engine, which has done so much for these countries and for the progress of the world at large, were eliminated by James Watt, because it was that University which enabled him to carry out the great work on which he was engaged, and to perfect the invention which has made so conspicuous a mark on the development of the present century. We know how largely science enters into every part of our modern system, and I, therefore, trust that the Government may be enabled to supplement the grant they are giving at the present moment to the Scottish Universities. The amount they give in this direction will, undoubtedly, be of the greatest importance to my country. It may be that the results will not appear at once; but those who are able to take advantage of the training afforded by our Universities, and who derive the benefits to be reaped from their well-organized laboratories, eventually go forth to the world with acquirements that prove of the greatest service to the human race. But these things cannot be done without a large amount of machinery, and at the present moment that machinery is very costly, and is entailing increasing expense on the Universities day by day. I would entreat the Government to do what they can to supplement the endowments they give for these laboratories, so that the instruments used and the training given there may be found adequate to the needs of the country. I trust that this Bill will not only pass its Second Reading, but that when we are enabled to consider it in Committee it may be moulded into such a shape that it will not only redound to the credit of the Government, but will largely contribute to the well-being of Scotland.

*MR. BUCHANAN (Edinburgh, W.): It is quite clear, from the character and tone of this debate, that its value consists in this—that a number of members have laid stress on the points in respect of which they desire to see the Bill amended, instead of indulging in anything like general opposition. The present Bill exhibits, both in its contents and omissions, improvements upon former Bills, and this is particularly seen in the clauses which, to a certain extent, provide a new constitution. I am glad that it is no longer proposed to hand over the Observatory and Botanic Gardens to the University of Edinburgh. The omission of that proposal in the present Bill is a distinct improvement. I am glad, too, that in the present Bill the finality clause has been abandoned, and that the declared object of the Bill is no longer to relieve the Treasury of future financial responsibility, but to meet the educational wants of the Universities of Scotland. These wants are greater freedom in teaching and a greater extension of teaching. I earnestly urge on the Lord Advocate during the progress of the Bill to endeavour, as far as possible, to widen the scope of the Bill in both these respects. There are certain restrictions still in the clauses

dealing with extra-mural teaching, and I think these restrictions might be properly removed. Then there is the widening of the curriculum, particularly in the Faculty of Arts and in the scientific branch of that faculty. If we are to widen the curriculum and introduce these new subjects we are face to face undoubtedly with this difficulty—that we want a much larger sum of money for the purpose than that which the Lord Advocate proposes in the Bill. I therefore hope the Lord Advocate will be able to give us a more liberal sum than he has promised. I think it would mark the improvement and the advance which has otherwise been made in this Bill, as compared with the previous Bills, if there was a greater advance in the sum of money proposed to be devoted to University education in Scotland. With regard to the question of tests, it is perfectly ridiculous to maintain the declaration that is taken by the great bulk of the Professors in the Universities. The test question, so far as it relates to the English Universities, has been settled long ago; and surely there will be no opposition in Scotland to any proposal to do away with what is an empty formality, as regards all the non-theological professors, and a doubtful benefit with regard to theological professors themselves. Then, as to the popular element in the University Court, I am disposed on this question to agree with the hon. Member for South Aberdeen rather than with the hon. Member for Haddingtonshire. The Lord Advocate himself is well aware, and anyone who is intimately acquainted with Edinburgh must be aware, that the great work recently undertaken by the University—namely, the extension of the medical school, the large support which that scheme obtained, and the way in which the public responded to the appeal—was greatly due to the fact that the matter was taken up not merely by the University itself, but by the University and the city conjointly; and the whole thing was worked by the Lord Provost and the Principal of the University at that time. Indeed, the Lord Provost was the most active member in the carrying out of that great work; and therefore, I think, as far as the experience of the University of Edinburgh is concerned, the introduction of the popular element represented by the Town Council on the University governing body has proved to be a good thing for the University, and may fairly be extended to the other Universities of Scotland. With regard to the composition of the Commission I agree with much that has been said. The Commission is undoubtedly too large for efficient action, consisting as it does of fifteen Members. In order to have efficient and practical work, we want a body of Commissioners who can give constant and continuous attendance on the proposed Commission. There are certain Members who may be described as ornamental Members, and there are at least half-a-dozen of them from whose character of mind one can see that they will approach the questions laid before them from an identical point of view, whether they look at the matter from an educational, political, or ecclesiastical standpoint. It may fairly be said that one-third of the Commission represent one line of thought and one line of culture. I hope that element will be diminished, and the Commission made more effective. It is a matter for regret that as regards this particular point we have almost the same Commission presented to us this year as was presented to the House of Lords in the Bill of last year, and I earnestly urge on the Government to improve and strengthen the Commission before the Bill passes into law.

*Dr. FARQUHARSON (Aberdeenshire, W.): Although I concur with a good many of the objections taken to this Bill, I think that, on the whole, we may congratulate ourselves that after a good many false starts the Bill has now got the length of a second reading. Notwithstanding its many defects I regard the Bill as the best attempt that has been made to settle the burning questions which so long have unsettled the Universities of Scotland. I congratulate the professors on the fact that they are to be relieved of a great deal of irritating work in the way of taking charge of the University funds, and that those funds will now be taken over by the University Court. As to the salaries of the professors, to which reference has been made by the hon. and learned Member for Haddingtonshire, I have a word to say. The hon. and learned Member considers these salaries too large. It is too bad for lawyers, who make larger salaries, and

others who hope to do so some day, to grumble at the moderate incomes which other professional men are able to get as the only prizes of their special career. As long as human nature remains as at present, if we remove the pecuniary stimulus we shall cut off a good deal of that energy and exertion which make those men work hard and strain every nerve for the honour and renown of their Universities. A dead level of income would produce, no doubt, a dead level of perfunctory teaching. These professorships are the greatest prizes of the medical profession, whilst lawyers and others in Edinburgh are receiving from £3,000 to £4,000 a year. It is absurd to compare these salaries with what is paid in Germany to professors. We should consider incomes in relation to the social condition of the country and the incomes drawn by others occupying similar positions. If a professor in a German college accepted £500 a year that is no reason why an Edinburgh professor should receive remuneration on the same basis. It is idle to make such a comparison. As to the University of St. Andrew's, I do not think it so very *effete* and almost extinct as some Members want to make out. At the same time I must say that influence appears to be at work in the direction indicated, for the Bill of last year gave St. Andrew's a better position than the present Bill does, because now the ominous shadow of Dundee has cropped up. I consider St. Andrew's a far better place than Dundee for the seat of a University. It is a calm peaceful town, in which complete seclusion is possible. Besides, it is well equipped with numerous libraries and other paraphernalia for carrying out University work. I entirely dissent from St. Andrew's being simply gobbled up by Dundee, as it will be if the proposals of certain hon. Gentlemen are carried into effect.

*MR. CRAIG SELLAR (Lanarkshire, Partick): Obviously it is not my intention to join in the general grumble from this side of the House as to the constitution of the Commission. I have the honour, unsolicited, to be one of those named as Members of the Commission, and, therefore, it is not for me to criticize my colleagues or myself. But I am entitled to say I think the Commission is a sensible one, a Commission composed of practical men, men who will do their work conscientiously. Upon the Commission there are many who are acquainted with the work of the Scottish and of the English Universities, and of the general system of education in Scotland and England—men who know as much about the position as any of the critics who have spoken to-night. Having relieved my mind with reference to the Commission, let me say I was exceedingly glad my hon. Friend the Member for Aberdeen (Mr. Bryce) discouraged any discussion of the ecclesiastical question. That very properly is matter for discussion in Committee. Personally, I should feel relieved of great responsibility if Parliament decided what is to be done with reference to tests, and did not leave it to be discussed by the Commission. At the same time, if the matter is left to the Commission, I feel certain the Commission will approach the subject with open minds, listen carefully to the evidence on every side, and form their opinion unbiassed by any predilections one way or the other. Now, I congratulate the Government on the very great improvement this Bill shows on any of the Bills we have previously had submitted to us. This is the fourth Scotch Universities Bill we have had in seven years, and to my mind it is very much the best of the four. It is better drafted, clearer in its provisions, and stronger in its general bearing than any of the earlier Bills. It is better both as to what it contains and as to what it omits. For example, it has done well to omit the provisions transferring the Botanical Gardens and the Observatory to the University of Edinburgh. The first would have been a cause of quarrel between the people of Edinburgh and the University; the second would have brought financial ruin upon the University. But while I congratulate the Government on the Bill generally, I cannot congratulate them on the financial provisions of the Bill. It is a matter of happy augury, I hope that at this point of my criticisms the Chancellor of the Exchequer should happen to enter the House. I hope he has heard my appeal that he should deal more liberally with Scotch Universities than the Treasury seem inclined to do. I may remind the right hon. Gentleman of the distinguished position

he occupies in one of our most important Universities. I am sure the University of Aberdeen would be most grateful to their Lord Rector if he should at the eleventh hour consent to a larger provision than is here made. To my mind everything, the whole machinery of the Bill, the efficiency of the work to be done by the Commission, the whole system of University reform, hinges upon the financial proposals. The Scotch Universities are unlike the English Universities in that they are popular institutions in the widest sense of the word—that is, they are seminaries not for the wealthy and middle classes, but largely for the poorer classes of the community. Up to 1858 these Universities were not, perhaps, doing so much good work as might have been expected from them; but in that year an important Commission appointed under the Lord President of the Court of Session thoroughly remodelled the system, and from that time to this most important work has been done by the Universities, —work of the most important character, work almost as high as could be expected from any University. Attendance has more than doubled, and graduates enormously increased. The professors—for the work done is on the professorial not the tutorial system — are men of high literary and scientific attainments, and since 1858 the work has been thoroughly well done. But in 1878 it occurred to some interested in the subject that the work might be better done, and another important Commission was appointed. Upon this Commission, with many distinguished Scotchmen, were the right hon. Gentleman the Member for Leeds (Sir Lyon Playfair), Mr. Froude, and Professor Huxley. The work of the Universities was examined by this Commission and pronounced to be very good, and the Commissioners proposed many emendations, most of which are embodied in this Bill. But in addition they proposed there should be eight new Chairs, five new Lectureships, and ten new Assistant Professorships, and the Commissioners declared that these were essential, that the system was incomplete without them, and that these must be provided if the Universities of Scotland were to become thoroughly efficient. They further recommended new teaching appliances and apparatus. These recommendations, twenty in number, involved enormous additional expenditure. Such were the recommendations of the Commission, upon whose Report this Bill is founded. The Bill proposes additions to existing charges, and in some six clauses proposes new charges upon University funds, and it is obvious that the increase of the State Grant to £42,000 will be quite inadequate if the Bill is to be carried out on its present lines. Of course, it is not for me to say what would be enough, but it is easy to see that the present proposal is insufficient. The Universities have now £29,000, and are to have £13,000 in addition, a little more than £3,000 each to carry out all the charges, and meet the new charges proposed by the Bill. To speak colloquially, this is trying to do University education on the cheap; but among the things that can be done in this way University education is not one. Other countries do not deal with Universities in this niggardly fashion.

*Mr. GOSCHEN: Oxford and Cambridge.

*Mr. CRAIG SELLAR: I will come to that presently. Let me give some instances of how Universities are dealt with on the Continent. In Strasburg, a town of 100,000 inhabitants, the Government of Germany spent £700,000 on University buildings, and has endowed that one University with £42,000 a year, that is more than we are to get for the whole four Scotch Universities. Prussia spends out of taxes about £390,000 a year on Universities. France spends half a million a year on its Universities out of the public money. Holland, with 4,000,000 inhabitants—about the same as Scotland—and with a revenue of £9,000,000, spends £136,000 on four Universities. Scotland gets £43,000. The Chancellor of the Exchequer mentioned Oxford and Cambridge, and I am very glad to take them as illustrations. Oxford and Cambridge have an endowment of 320,000 acres of land; and from this they have an annual income of nearly £750,000 a year.

*Mr. GOSCHEN: I meant from the State.

*Mr. CRAIG SELLAR: True they get nothing from the State, but they have these magnificent endowments. In Scotland we have practically no endowments. In Ireland a large sum is given by the State to Uni-

versities—a much larger sum in proportion to the number of students than we have, and besides that they have £20,000 a year from the Church Funds. In Scotland the Universities get nothing from a Church Fund, and practically they have no endowments whatever except for bursaries and scholarships. They depend on what they get from the State and the fees of the students, which amount to about nine guineas a year a piece—a mere flea-bite to a man who attends Oxford or Cambridge, but a serious thing to the class of students who go to the Scotch Universities. In 1867 a Return was prepared for the Education Commissioners, and this gives the percentage of 900 students. One hundred and forty-three of these were sons of skilled labourers and artizans—smiths, shoemakers, masons, weavers, and carpenters; 13 were sons of ordinary labourers, 13 were sons of working miners, 16 were the sons of gardeners, 3 were the sons of shepherds, and 125 were the sons of farmers, most of them small farmers. That is to say, 35 per cent of the students in Scotch Universities belong to the poorer class of the community, and these lads pay nine guineas a piece. If the Treasury declines to give any additional endowment, one of two things must happen—either the educational status of the Universities will be lowered, or the poor students will be rackrented. But I hope the Treasury will deal more liberally with the Universities. You may give relief in two ways; you may increase the amount of the grant, or you can make charges, such as those for buildings and retiring allowances, the subject of a separate Vote. Of this we may be quite sure—that £42,000 will be wholly inadequate to meet the wants of the Universities. That amount will hardly meet existing charges, and certainly not the new charges proposed by the Bill, or anything like the recommendations of the Commission upon which the Bill is founded. I will not touch upon other matters, some of which have been well thrashed out and will be treated in Committee. As to extra-mural teaching, there was a very strong recommendation in the Report of the Commission of 1878 against extending it to the Arts and Law Faculties, which should be borne in mind. There is also the matter of the transfer of administration from the Senatus Academicus to the Court, but this is a matter for the Committee. I hope the House will take the Second Reading of the Bill to-night, and that we shall get into Committee at an early day. In some respects the Bill is more important than the Local Government Bill, and might well have precedence of that Bill in Committee. It is absolutely necessary, after this Bill has been for seven long years dangled before the people of Scotland, that it should pass this Session. If it does not pass it will be nothing less than a scandal; if it does pass, and we have more liberal treatment from the Treasury, I am sure it is a Bill that will confer great benefit upon Scotland.

*MR. WALLACE (Edinburgh, E.): I have not heard or read a speech from the hon. Member during the last three years that has given me greater pleasure than the speech I have just listened to. There is nothing in it to which I have to express dissent, except possibly an observation the hon. Member made in opening his speech, when he said he thought the difficulty about religious tests was one to be dealt with in Committee exclusively. I differ from him in that particular. No doubt the details are matters to be dealt with in Committee, but in the proposals in the Bill there is much matter of principle involved. Practically, the Bill perpetuates the tests as they stand, and the proposal to refer the matter to a Commission of Inquiry is a mere evasion. The question should have more serious treatment than the Lord Advocate seems disposed to give it, for it is the feature in the Bill upon which the people of Scotland have the keenest expectancy. The proposition to refer the question to a Commission is a ludicrous superfluity, should as soon think of examining the professors of mathematics as to the soundness of the multiplication table as of inquiring whether religious tests are or not out of place in a University. A University ought to be entirely under the control of the scientific spirit, and science must be free from intellectual shackles. The declaration which is required from the non-theological professors necessitates that the occupiers of the chairs of philosophy, science, and literature should make a complete confession of faith in a creed, the freshest edition of which was framed when men

still believed in the Ptolemaic system of astronomy. It is a most disastrous combination of folly and cruelty to pledge a professor of metaphysics or moral philosophy to always arrive at conclusions in harmony with the Councils of Nice and Constantinople, or to forbid a professor of astronomy or of geology ever to contravene the views of the Westminster Assembly of Divines. The professors, if fit for their posts, ought to have consciences sensitive to these tests, and there are men who thus, while capable of filling any position with honour, could never find their way to the chairs of the Scottish Universities. Mr. Herbert Spencer, the highest living authority in purely speculative philosophy, could not be a professor of metaphysics in Scotland; and Professor Huxley could not teach natural history or biology at Edinburgh; nor could the right hon. Gentleman the Member for Newcastle profess ethics at Aberdeen, if ever, despairing of his country, he should seek an asylum in the academic cloister. The highest utility of a University is the moral inspiration with which it equips its *alumni* for their work in life; and what moral inspiration can be given by men who have to think and teach to order? Then the pledge and covenant of constant and life-long adherence to their previously assumed doctrinal position which is exacted from Theological Professors is not indeed inconsistent with the peculiar principles of the symbol whose authority it acknowledges. But I maintain that it is utterly inconsistent with that scientific spirit which alone ought to dominate the University, for science is always ready not simply to alter, but even to reverse, its former opinions when new light is gained. I maintain that if theology is to continue to be taught in our Universities it ought to be taught by independent thinkers, and not by partizan advocates, bound under penalty of starvation to proclaim and defend a particular set of ancient opinions as the only possible truth. I do not wish to advocate this view upon disestablishment reasons. At the same time, I think those are relevant and invincible to a certain extent in this connection, but I wish to put the matter simply upon University ground, and I maintain that if theology is to be a part of our University teaching, it must be scientific, and to be scientific it must be free. The question whether theology ought to continue to be taught in our Universities is a different question altogether. For myself, I think that something in the nature of a history and criticism of religion and religious opinions publicly furnished by our Universities upon University principles and according to University methods is demanded by the democratic necessities of the times. The masses, in my opinion, are always needing to be defended from the classes at every turn in life, and the sects, to my mind, in this connection, are the classes who are continually preying upon the body of the people by a one-sided proselytism to secure support for their own respective followings. I think the people need protection such as would be afforded by an independent utterance of opinion which proper University teaching alone can supply. In short, I think that free Universities are the natural champions of the people against the aggressiveness and narrowness of the denominations—they are the only public institution which is able, in the national interest, to put a bridle on those roaring lions of sectarianism which are continually going about seeking whom they may devour. I may possibly be told that the question of religious tests as thus presented is merely a point of overstrained theoretical fastidiousness. I do not, and cannot, so regard it. To my mind it seems to be a matter of the utmost practical importance, having the most direct bearing upon material interests. Where the public conscience is in a false position towards the deeper questions of human destiny and duty everything tends to get into a false position, and the practical standard of public morality tends to become depressed and deteriorated. In the present condition of our public moral teaching by Creed-bound Sectaries, whose minds are padlocked and whose mouths are gagged on the deepest questions of human destiny and duty, it is manifest that one great part of the community is driven into a more or less hypocritical attitude, a second into a spirit of flippant and jeering hostility to all serious things, and a third into indifference. I am at a loss to see which of the three is most fruitful of moral calamity, while to my mind the combination of them is simply terrible. I believe that a freer

and opener and honester moral teaching among the people would do much to improve this state of things, would elevate the whole tone of public life, and would go far to wipe out some of the darkest stains which disfigure our social condition, that a nobler spirit would go forth among the people, that there would be less commercial knavery, less abandonment to the vices of the senses, less of selfish landlordism and capitalism, and less estrangement of class from class. It is because I feel that this Bill causelessly omits a great opportunity of promoting this amelioration that I cannot regard it on the whole with approbation. The second point on which I think, in point of principle, this Bill requires re-consideration is that it seems to be too conservative of academic as opposed to popular interest. It applies a feeble and reluctant hand to the question of extra-mural teaching as bestowing a qualification for degrees, while at the same time it practically puts University appointments, and especially examinerships, into the hands of the Professoriate. It also deals with foundation scholarships, and bursaries that hitherto have been used as helps to poor men who desire to prosecute a learned career in such a way as to apply them to prizes for a scholarship, which in most cases can only be won by men who have been rich enough to acquire a high preliminary training. It threatens, moreover, to raise the fees for attending University Classes, and in general its tendency is to make the ladder of learning less accessible to the poor, while at the same time enriching and aggrandizing University officials. I desire to see the path of learning made more easy, and not more difficult, to the poor. Time was when, as every soldier in the French Revolutionary Army was said to carry the Field Marshal's baton in his knapsack, so in the mediæval Church the poorest man might rise to the highest position in Church and State. That cannot be said to be any longer the case. In many respects the learned professions are simply barred to poor men — the profession of the law, for example, in which it surely is desirable that among those who are possibly to fill the judicial office there should be at least some who have had an experimental acquaintance with the wants, the feelings, and the temptations of poverty. But there is, and especially in Scotland, a ring-fence of preliminary fees and entrance charges which practically close the door to any one who does not possess a golden or, at all events, a silver key. I think this should not be; and accordingly I have put down an Amendment on the Paper, the effect of which would have been to make University degrees at all events accessible to any man who showed he was possessed of the necessary qualifications in point of knowledge, culture, or skill, wherever or however he had acquired them. But as I do not want to bring forward such an Amendment so as to lengthen this discussion, I hope I may be allowed to dismiss it with some brief remarks. The proposal is not calculated to be hostile to a teaching University. I am not unmindful of the great advantage to be found in academic associations, or in contact with a living teacher of inspiring power. But in the ecclesiastical profession in Scotland, about 30 or 35 years ago, there were two classes of candidates who were eligible—namely, those who had studied theology at the University for three years, and those who had read the same subjects at home for five years. By thus manipulating the element of time I think it perfectly possible on the one hand to avoid discouraging attendance at the University on the part of those who can afford it, and on the other not to shut out poor men from the possibility of obtaining University recognition. My proposal, further, was not intended, and, I believe, was not calculated, to encourage what is called cramming. I have always had the opinion that the professional cry against "cram" is very much the despairing wail raised by an incompetent and indolent examinership devoid of ingenuity and initiative. An able examiner who is willing to take pains can always defy the crammer, and, at any rate, the persons I am pleading for are so poor that they would not be able to pay for crammers, and a man who is in a state of preliminary ignorance of the whole subject is not able to cram himself. This Bill, however, by its poor encouragement of extra-mural teaching, by its threats to raise fees, and to confiscate poor men's endowments is really a Bill against the poor scholar and a Bill for encouraging and strengthening the professorial monopolies and the academic ring generally. Now, Sir, I for one

desire with all my heart to see University teachers not only comfortably but handsomely secured against privation and inconvenience. But I do not think it advantageous that the pursuit of learning should be vulgarized and degraded into a mere money-making business as has undoubtedly been the case lately in some Scottish professorial chairs. I, for my part, do not believe in shopkeeping science or profit and loss philosophy. The constitution of the Commission is part of the spirit of the measure, an essential portion of the measure. Criticising the Commission from an educational point of view, I am sorrowfully obliged to say of it that it is, in my opinion, a feeble and reactionary Commission, and, if for no other reason, I feel almost tempted to wish that this Bill could be put off to better and more hopeful times. I admit there are two or three worthy names upon it, but they are in a hopeless minority. When I first saw the names, my preliminary difficulty was to know who several of them were and what they had done. It was only after protracted private inquiry I succeeded in discovering that while some of them stand perhaps a little higher in their own estimation than that of others, on the whole they are persons of respectability in private life, but nowhere in educational matters, while their political, social, and educational sympathies are in most cases in direct antagonism to the great body of the Scottish people. No doubt some of the less known of them are persons of Scottish birth, but then they are of English education. What advantage is it to Scotland though a man happens to have been born in that country if he has been caught young, and Rugbyfied and Oxfordized out of all decent shape and recognition. English University education, however much it may have been changed by recent modifications, is still essentially and pronouncedly of a mediæval type, which I believe is more a blight than a blessing to the intellectual progress of the nation. In Scotland we have been less under that influence, though we have suffered from it. We have been more open to modern ideas, but I have no great hope that this Commission constituted as it is and especially Scoto-Anglican element, will ever achieve or try to achieve any of those great and sweeping reforms in the general conception of University culture which to my mind are imperatively necessary, and which require a strong hand as well as a reforming spirit to carry them into execution. Another peculiarity of the Commission is the predominance of the Lunacy Commissioner or the "mad-doctor" element. The existence of this factor on the scale in which it presents itself is darkly suggestive. When the Commission was launched last year it had one Lunacy Commissioner, but when a vacancy occurred through the loss of that munificent friend of science, Lord Crawford, the Lord Advocate with breathless speed rushed to fill it up with another Lunacy Commissioner, and I have reason to believe that if a third vacancy occurred, it might fall to another eminent member of the Scotch lunacy staff. What does this mean? I have the greatest possible respect for "mad doctors" in their own peculiar sphere, but what are they doing in this galley? It strikes me as singular that experience in the treatment of idiocy and madness should have been put forward by the Lord Advocate as constituting a special recommendation for the task of reorganizing and re-constituting Scotch Universities. I do not believe the right hon. Gentleman meant to insult the nation which he helps to adorn, and

> "To show by one satiric touch
> No nation wanted it so much."

If he does I implore him to remember the melancholy fate that overtook the memory of a similar rash experimentalist on national self respect in another age and country. I prefer to believe that the Government, who are responsible for the situation, think that those experts in amentia will be intra-murally useful, and exercise an influence upon the deliberations and proceedings of this Commission, which may ultimately be conducive to the public benefit. With that opinion I am not concerned to quarrel, but I do feel that even with all this assistance this Commission is not likely ever to exhibit that comprehensive grasp and progressive spirit which the question demands. The two or three distinguished names upon the Commission are far too few to struggle against such a melancholy medley of modest merit, self-satisfied mediocrity, and reactionary weakness. I am unwilling that the genuine reconstruction of our University system should be retarded for a whole generation,

which will be the result if such a Bill is passed, with such a Commission to carry it into execution.

*SIR L. PLAYFAIR (Leeds, South): As yet no English Member has intervened in the debate, but I may perhaps be allowed to take part in it as having served an apprenticeship of 17 years as a Scotch Member and 10 years as a Scotch University professor. I am grateful to the Scotch Members for not having shunted the discussion into a theological siding. It is a fair educational discussion on the merits of the Bill. There is one argument which I have not heard used in the debate. The Scotch Universities have no theological tests for theological degrees which are given for knowledge of theological science. If that is so, why should there be theological tests for the teachers who prepare students for the degrees? In this century there have been six Royal Commissions to inquire how the Scotch Universities can be reformed, there have been two leading Acts which have done great good, and there have been executive Commissions which have given the greatest impulse to the progress of the Universities. The present Bill is founded upon the recommendations of the Royal Commission of 1878. Ten years have passed since those recommendations. That was a particularly strong Commission; it was presided over by the Lord Justice-General, who produced the great Bill of 1858. It included such men as Professor Huxley and Mr. Froude, and having been a Member of it myself, I know how much attention they gave to the subject and how carefully weighed were their recommendations. But nothing has been done to carry them out. Their main purpose was to adapt the Universities to the altered condition of the world and of the various professions which have arisen in modern times. The Act of 1872 largely improved the primary and secondary education of Scotland. At the present time the primary schools send 40 per cent of the students to the Universities; the secondary schools send 40 per cent, and 20 per cent go from private schools. Unfortunately the adaptation of the degrees has not followed this improvement in the education of the people. Degrees remain much as they were two or three centuries ago. The University is not a technical school, but a school to infuse culture into the professions. Unless that culture be introduced there is no justification for professional schools in the Universities. The *via antiqua* ought no doubt to be kept in repair, but there should also be running parallel to it a *via moderna*. The Commission of 1878 proposed to open, in addition to the present arts' course, five new gateways of knowledge—the gateways of literature and philology, of philosophy, of law and history, of mathematical sciences, and of the natural sciences. Now there is a great difference between the Universities of rich and of poor countries. The Universities of poor countries must rest on the professions. The rich men of Scotland go to Oxford and Cambridge, whereas those who attend the Scotch Universities have to earn their bread by a profession. Unhappily those professions are now being taught without culture; that is, with the exception of theology, the men go through the technical part of their education without taking a degree in arts, though there is a sort of matriculation examination, which does not represent a very high degree of culture. In that way the great medical schools are technical schools which give length but not breadth to education. One of the greatest reforms to be attained is to carry out the recommendations of 1878, so that, by proper courses in arts, culture may be restored to the professions. No doubt there has been some *vis inertiæ* which has led to the failure to carry out the recommendations of ten years ago. What is wanted is some *vis ab extra*, some *vis a tergo* to push on the Universities to the necessary reforms. What the Commission of 1878 recommended and what that Bill carried out was that there should be an executive Commission to apply the requisite force. That Commission is being appointed and has been criticized, and with much of the criticism I agree. I know the Government have had great difficulty in finding men who could spare time to go down to Scotland. They have been disappointed by the refusal of several gentlemen whom they would have liked to appoint. Still I believe the Commission will produce good results, because it will be subject to a public opinion which has been ripening on this question and which will oblige them to carry out the reforms which the people desire, but

which hitherto have been impossible for the want of money. The increase of £13,000 in the Vote is no striking example of Parliamentary generosity when measured by the efforts of other countries. My hon. Friend the Member for Haddington has referred to what has been done in Holland, a country with a revenue of nine millions and a population about the same as that of Scotland. Holland gives £136,000 to her Universities. The case of France is equally striking. The French Institute discussed for a whole week why it was that the great crisis in the Franco-German War produced no men of ability in France. The decision they came to was that the reason was to be found in the decay of the provincial Universities. Since that time the French Government have spent £3,280,000 on rebuilding and equipping the provincial Universities, and vote half-a-million a year for their support. Then Germany has spent £711,000 in order to build and equip the University of Strasburg, which is endowed with £46,000 a year. This country must be prepared to spend more money on higher education not only in Scotland, but in England. Modest, however, as is the proposal of the Government, I am rejoiced at the disappearance of the abominable finality clause which appeared in former Bills. There is no finality in knowledge or the progress of science. Notwithstanding the stern aspect of the Chancellor of the Exchequer, we cannot help ourselves. We must be prepared to adequately support our Universities, and to make sufficient provision for higher teaching in all our great towns. You have put your hand to the plough and you cannot draw back. Though I think the provision inadequate for what the Bill proposes, I have perfect confidence in the generosity of Parliament that, having begun the reform of the Scotch Universities, they will take care that the reform is thoroughgoing. Let us take some of the matters in regard to which there ought to be an increase of expenditure. In the Scotch Universities there is one teacher to every fifty students, while in the German Universities there is one teacher to every twelve students —taking professors and assistants together—and this difference enables the German students to be better taught than is possible where one professor has so many more to look after. In the Scotch Universities we have one professor for a single subject. For instance, there is in the Edinburgh University one professor of chemistry—an office which I had the honour to hold when I was a professor at that University—but any moderate-sized German University requires four or five, taking up various divisions of the science. It is there held that many subjects of knowledge are too large to be dealt with by one man, and if it is desired to give the students the full benefit of a teacher's special qualifications it is necessary to add to the cost of the University staff. The poverty of the Scotch people and of the Scotch Universities prevent high scholarships in Scotland. Most of the bursaries are spent on the students attending the ordinary course for the degree of arts and the professional subjects; and there are no such fellowships as will retain the best men at the Universities and carry them on to high scholastic positions. It is true that Scotchmen do become learned and add to the scholarship of the world; but how? They do it like the cuckoo. They lay their eggs in English nests. They come to the English Universities and there lay those eggs of learning whereby England has all the lustre of the scholarship of poor Scotland, while Scotland is supposed to produce no learned men. A late Archbishop of Canterbury went to an English College from a Scotch College, and a head master of Westminster School came south in the same way. A minute or two ago I saw below the Gangway a learned professor who came up from St. Andrew's in a similar manner by securing a golden scholarship in an English University. We want some of these lucrative fellowships in Scotland with proper endowments for the purpose. There is one matter in reference to this Bill on which I should like to speak. The Bill provides for a Committee of Privy Council which is to be a Court of Appeal. This Court of Appeal is in imitation of that provided for English Universities, and is quite different from the General University Court which the Commission recommended. It is not to be a Court of Initiation and Review, but is simply a Court of Appeal against ordinances and tests in each University. The Commission recommended a totally different thing. They recommended that there should be a

National University Court, and that all four Universities should send to it members of a representative character. Such a Court would determine general conditions for graduation, teaching, and examinations, so that there might be no kind of Dutch auction in University standards. You might have equivalent degrees without having uniform degrees, but equivalency in degrees is certainly what is wanted. Under the Bill there are no means of securing this; but if you established a National University Court you would be ensuring something like that which existed several centuries ago but which was dropped in a period of University sluggishness, when it was a purely consultative body; by reviving this with statutory privileges and duties you would be doing much to promote education in Scotland. I shall try in Committee to give the Commissioners power to consider whether a National University Court of this kind cannot be established in which the four Universities of Scotland could join. I quite appreciate the desire of the Government to have on this occasion only a short discussion, and I do not intend to take up much time in what I have yet to say, but I should like to point out the difference between the Scotch and English Universities and the importance of trying to get hold of the Universities in the national spirit in which they are viewed in Scotland. The English Universities, as I have previously said, in the debate on the Scotch Education Bill, may be roughly said to teach men how to spend £1,000 a year with dignity and intelligence while the Scotch Universities teach them how to make £1,000 a year with dignity and intelligence. That has been the success of the Scotch Universities. The teaching Universities in England have one student to every 3,500 of the population; in Ireland there is one student to 2,040 of the population; while in Scotland there is one University student to 580 of the population. Therefore, the roots of University education have gone wider and broader among the people of Scotland than they have done either in England or in Ireland. The object has always been to try and evolve brain power from all capable citizens, and it is this which has made Scotland what it is. Every man in Scotland knows that by the numerous bursaries and scholarships that are provided he can, if he has any brain power at all, get a University to develop it; and as my hon. Friend the Member for Aberdeen expressed it, this has done more to make Scotland peaceable and prosperous and the Scotch citizens successful in every part of the world than anything else in connection with our history. Yet in Scotland, with all our bursaries and means of sending young persons from school to the Universities, and where we find that 7 per cent are fitted to take higher education in primary schools, Scotland is decidedly behind England in University education. My Scotch friends of the Universities will probably not thank me for this deliberate opinion; but still it is my opinion that the English Universities have adapted themselves largely to the changed condition of the world, and that in this respect the Scotch Universities remain much behind. The lion rampant of Scotland has been standing on its hind legs pawing the air, while the lion passant of England with its four feet on the ground has been going ahead. It is because I want to see the Scotch Universities in adaptation to the changed conditions of professions that I am anxious to see this Bill passed into law. With regard to the work of the Universities, it would be foolish to build all the professions taught on one uniform foundation. If you take the degree of arts which is well fitted for the faculty of theology, and were to suppose you could build upon the same foundation the legal and medical degrees, or those that relate to engineering or agriculture, it would be as foolish as to suppose you could have the same plan for building a hospital, a school, and a gaol, all of which are intended to serve different purposes. If the Commissioners show themselves equal to their task, and if public opinion be brought to bear upon them, I believe the changes introduced by this Bill will add strength to the Universities and give new dignity and efficiency to the professions.

*MR. ESSLEMONT (Aberdeen, E.): I desire, before dealing with the Bill now before the House, to refer to the history of the Scottish Universities. I am sorry the Chancellor of the Exchequer is not in his place, but at any rate I may be allowed to remind the House of the fact that the Scotch Universities

stand on quite a different platform from those of England. Previous to the Act of Union, in consequence of their want of endowments, Scotland supported her Universities, but it was a part of the condition of the Union that the united exchequer should continue as was stipulated for ever to support the Scotch Universities. I deprecate our having thrown at us by the Chancellor of the Exchequer the fact that the English Universities being so richly endowed require no grant from the public Treasury, while a grant is considered necessary for the Universities of Scotland. We claim that the question of subsidy to the Scotch Universities should be considered on its merits and on a due estimate of the requirements of Scotland without reference to the different requirements of the English Universities. I join with those who have gone before me on this side of the House as well as on the other side of the House, in conceding to the learned Lord Advocate who has brought in this Bill, the fact that there is a general desire in Scotland that we should deal with University education. I deprecate, however, the position taken up by my hon. and learned Friend the Member for Glasgow and Aberdeen Universities, in saying that because we have been thinking and talking of bringing in Bills, and tentatively presenting them to the country for the last seven years, we should now pass the Second Reading of this Bill through the House without adequate discussion. The fact that these Bills have been on the stocks for the last seven years is, I think, a very strong ground why we should discuss them now. But though with great deference I may make suggestions to my hon. and learned Friend the Member for the Universities, I would at least take upon me to say this—that I think it would have been well, seeing that he is named as a Commissioner, to consider certain questions which we are asked to submit for consideration to the Commissioners appointed under this Bill. I think it would have been better if he had not intimated to this House in regard to one question causing great jealousy of feeling, that he is an advocate of a continuance of theological tests, and that he deprecates the extinction of those tests.

*Mr. J. A. CAMPBELL: My hon. Friend misunderstood me. I was defending the remitting of this subject to the Commissioners for inquiry and report.

*Mr. ESSLEMONT: That is quite true, but I may point out that the hon. Member added a strong opinion that these tests ought to be continued, and he deprecated their extinction. But if he is somewhat repentant of having given an opinion in advance, I am glad of it. We, however, are in this position, that there are a large number of gentlemen who are to form this Commission, and who, we know from their history and their political tendencies, are decidedly and unmistakably in favour of the maintenance of these ecclesiastical preferences, and of these University tests, and we are unwilling to submit these questions to their consideration without protest. I do not require, Mr. Speaker, to say much in defence of the existing position of Scotch Universities. That we have need for University reform there can be no doubt. I have not the honour and privilege of speaking of these Universities with that knowledge, which I wish I had, for I am not myself a product of the Universities, but I may at least lay claim to this, that in all matters with which I have had to do with respect to education, I have always loyally supported the Scotch Universities, and while loyally supporting those Universities, I am painfully convinced of their defects. Why, for instance, should it be necessary that we should nowadays be keeping up denominational colleges for the purpose of training our teachers? Why should we not have a University system extending from the elementary schools to the Universities, and make the University the head of the educational system, thereby making it one of its chief functions to train our teachers? Why should we be dependent upon other organizations while we have our Universities? I think in this matter we have evidence of the great defects of our University system—defects which call loudly for reform, and I did hope, therefore, that we should have had such a measure of University reform as would have remedied many of the defects with regard to education in Scotland which have been crying for reform for these many years. I am afraid, as a Scotchman, and speaking as I do for the Scotch people, that we have too long prided ourselves that, with regard to

education, we are far in advance of other nations. We thought we had a system of education which was doing great things for our people, but the fact has been that under our parochial system and under the system of University bursaries, which permit a wholesome democratic education, we have allowed other nations to get ahead of us, and we have lagged behind and are still lagging behind in the race for education and general culture. This has been largely due to the somewhat fossilized condition of our Universities which we have had at the head of our educational system. I very much fear, Mr. Speaker, that many of our chairs are held under the idea of proprietary rights; that our professors accept and receive these chairs more as a proprietary right, that, on that account, they consider themselves quite entitled to make two or three or more thousand pounds a year, while not giving that amount of attention to the large classes under them which is necessary, and that, thereby, they receive their share of University fees without due consideration for the interests of the education of the large number of students who enter their classes, although I advocate more Imperial support. If we are to have University reform, all trading and mere money making in education must cease. I can hardly give my right hon. Friend the Lord Advocate credit for having omitted the question of University tests in dealing with this Bill. I think he said it might cause some acerbity and ill-feeling if he attempted to raise this question of ecclesiastical distinctions, and he added he was prepared to submit this matter to the University Commission in order that it might be dealt with in the more serene atmosphere of judicial functions. In regard to these University tests, I do not think that it will be seriously denied in this House that there is good ground for saying that in recent years, there has grown up a strong feeling on the part of Scotchmen in favour of religious equality. My hon. and learned Friend the Member for North Aberdeen has shown on the mere question of economy that only one class of our students receive theological education at the University, and that it is a very expensive process to educate divinity students. It may be information for the learned Lord Advocate to know that in the University of Aberdeen, with which I am best acquainted, it was found on one occasion that there were more bursaries than there were students to take them up, and I do not think it will be disputed that we could turn the endowments of these chairs to account in connection with arts, law, and medicine, without in any way inflicting hardship on any class of theological students. I share very fully the general desire and feeling of the Scotch Members that Her Majesty's Government should have every opportunity of legislating for Scotland according to the wishes of the people of Scotland, and, therefore, while entertaining the very strongest feeling in regard to these ecclesiastical tests in the Scottish Universities. I hesitate to move the Amendment against Second Reading which I have placed on the Paper. I propose, however, in Committee, to move an Amendment which will embody similar views. I am convinced from numerous representations which I have received from all parts of Scotland, that Her Majesty's Government have a golden opportunity of dealing with the subject of University tests, and by that means of passing a measure which will be comprehensive and satisfactory to all parties in Scotland.

*MR. D. CRAWFORD (Lanark, N.E.): I think the business-like tone in which this Bill has been discussed may afford the Government some encouragement to give us in the future, other opportunities of discussing measures, in which, as Scotchmen, we are deeply interested, and may tend to remove that excessive timidity which is characteristic of their policy in regard to Scotch measures, and which has induced them to withdraw these measures at the slightest breath of opposition. As one of the proposed Commissioners. I feel that my lips are closed on more than one of the topics which have been raised this evening. If the discussion has been instructive to those interested in the education of Scotland, it must have been particularly instructive to myself and those Members proposed as Commissioners. We have been described as mediæval, bureaucratic, ignorant, aristocratic, and even ornamental. I hope the Commissioners will profit by the exceeding candour of the criticisms made by my hon. Friends to-night. I

am certain, however, that they will take these reflections upon them in good part, and I will only add that I am persuaded that the Commission would undoubtedly have been greatly strengthened if my hon. Friends who have so freely criticised it could have been persuaded to serve upon it. I am also debarred from entering on the question of the propriety of keeping up the theological tests. I will not follow the Member for Glasgow University, who undoubtedly has supplied a very important argument in favour of the retention of the tests—an argument which, when the question comes to be discussed before the Commission, will be invaluable to witnesses on one side. I would only say that I regret the Government have not left the question to the decision of this House, as that is a part of the duty of the Commissioners, from which, I am sure, they would all have been glad to be relieved. I confess I hardly think that the Bill has had so generous a reception from some of its critics on this side of the House as I think it ought to have received. I cannot but remember that it is substantially the Bill of the Liberal Government, and consequently, to a large extent, the former Members of the Liberal Government are responsible for it. I must go further, and acknowledge that many difficulties arising from natural sentiment and jealously among the various academic bodies which cropped up with much luxuriance on the appearance of former Bills, have, in my opinion, been to a large extent successfully met by the Government, and, consequently, the Bill is now a better Bill than when it left the hands of the Liberal Government. My hon. Friend the Member for Haddington has complained that the principles on which the Commissioners ought to proceed are not laid down with sufficient clearness. I am sure that that point has been fully considered, both by the Liberal Government and by the present Government, and I think that the Government have arrived at a right conclusion in not tying up the hands of the Commissioners more than they have done. There are points on which an indication should be given to the Commission, and on those it has been given, for they have been practically directed to provide for the admission of women into the Universities, and for their graduation. In the same manner they are empowered, though not so fully as they ought to be, and practically directed to deal with the patronage of bursaries. Nor can I concur in the criticism of my hon. Friend (Mr. Wallace) who contended that the tendency of the Bill was to raise the fees for poor students, to divert the bursaries from the benefit of poor students, and altogether to place University education less within the reach of poor and deserving students than at present. I can see no trace in the Bill of any tendency of that kind. On the contrary I am satisfied that the object of the Bill—an object which I am sure the Commissioners, with all their imperfections on these heads, will do their best to carry out—is, in conformity with the established traditions of Scotland, to extend the benefits of education as widely as possible, and to place within the reach of the poor lad of promise an avenue for the acquisition of the highest knowledge. This leads me to a point on which I wish to say a few words. All the benefits which the Bill, if properly worked out, is likely to realize, cannot be had without money. An attempt has been made to embody all the recommendations of the Commission of 1876 which are valuable in the present Bill. The Commissioners recommended, no doubt, certain alterations in the constitution of the University, and those alterations it is attempted to carry out in the Bill. That the chief defect in the Universities, as it appeared to those Commissioners, was the need of expansion, the need of more assistance in the development of *curricula* of study, according to the widening sphere of modern knowledge. This is entirely a question of money, and my only serious alarm about this Bill is that the funds now offered will be so scanty that the real operative provisions of the Bill may remain a dead letter. We shall never get anything like a satisfactory solution of the question of University education until we get more money for it, and though I do not think this ought to be a party question, I trust the Liberal party will raise this standard that higher education is to be regarded as a matter of public concern, and that public money must be got for it when required. A grant of £13,000 is totally inadequate for the purpose. Sooner or later Scotland will get what she needs.

The only question is, whether the Government will deal with this question in a fair and amicable spirit now, or make it another of those grievances which are daily strengthening the demand for Home Rule. I still hope that the Government will make this a valuable Bill by increasing the sum of money to be placed at the disposal of the Scottish Universities. Too much emphasis cannot be laid on the point that we on this side of the House will never be satisfied with any settlement of the Universities question in Scotland which does not place a very much more liberal share of public money at the disposal of the Universities.

*THE SOLICITOR GENERAL FOR SCOTLAND (Mr. M. T. STORMONTH DARLING, Edinburgh and St. Andrew's Universities): As a University Member and as a Member of Her Majesty's Government, I must acknowledge with gratitude the disposition shown by gentlemen opposite to facilitate the passage of the Bill, and I hope that disposition will be maintained throughout the subsequent stages of the discussion. I am sure they will not have reason to complain of any want of readiness on the part of the Government to co-operate with them in any reasonable suggestions which are in accordance with the general tenor of the Bill. The hon. and learned Member for South Aberdeen (Mr. Bryce) seemed to regret that there were not more representatives of municipalities on the University Courts, but I would remind the hon. Member that the present Bill for the first time proposes to intro duce into the University Courts of Glasgow and Aberdeen the Lord Provost of each of those cities, and in the case of Edinburgh the Lord Provost has, since 1858, along with another Member of the Town Council, been on the University Court. I think, therefore, it cannot be said that any niggardly spirit has been shown by the Government towards those municipalities. I was rather surprised that any hon. Gentleman should disparage the University Council as a suitable constituency from which to elect members of the Court, and I rather gathered from what the hon. Member for North Aberdeen (Mr. Hunter) said that he believes that body elect their representatives from Party considerations. I am in a position to say that that is not so. In the case of Edinburgh an eminent medical man represents the University Council on the Court, though his political opinions are not in harmony with those of the General Council.

MR. HUNTER: I referred only to the case of Aberdeen.

*MR. M. T. S. DARLING: I rejoice that so fair a spirit has been shown to the professoriate of the University. It would have been a scandal if hard words had been used about a body of men who have shed so much lustre on those ancient institutions. They have managed the finances with economy and skill, and now they are going to be relieved of that duty, I think it only fitting that testimony should be borne to the exceedingly faithful way in which the work has been performed. I am also glad that no undue jealousy has been shown towards the professors as regards their influence in University matters, and I do not agree with the hon. Member for North Aberdeen that they would be likely to have a preponderating influence on the new Courts. I must bear the most emphatic testimony against the hon. Member's observation that the duty of appointing examiners is generally exercised by the University Courts in a spirit subservient to the professors. I assure the hon. Member that I have found, from my experience on the University Court in Edinburgh, that the professors seldom actively intervene in the matter; but when they do, the Court proceed entirely independently of them. I have an instance in my mind in which we elected an eminent extramural examiner in medicine as against a highly qualified candidate who had been formerly an assistant professor. References of a not very favourable character have been made to the composition of the Commission. The fact is that it is not easy to get men to undertake so laborious a duty as that which will be thrown on the Commissioners, and having regard to this fact it does appear somewhat ungracious to disparage beforehand those who have consented to take upon themselves a laborious and, I am afraid, a thankless task. I must say I think the Commission proposed in the Bill possesses very multifarious advantages and qualifications. It was necessary to secure the services of men who have local knowledge of the Scottish Universities and of University business, and who at the same time are men whose horizon has

been enlarged by knowledge of English and foreign Universities, and such men the Government have been able to obtain. There are two ways of constituting a Commission such as this. One way is to select a number of men who are known to hold extreme opinions on one side or the other and allow them to fight the matter out; but the preferable plan, and that which has been adopted by the Government, is to select men of impartial mind and of moderate views who are not academic partisans. Hon. Members must remember that nothing is to be done by the Commission without inquiry. With regard to the question of tests, I am glad to find that hon. Gentlemen opposite appear willing to postpone the matter to the Committee stage as one not going to the principle of the Bill. The proposal of this measure is that the Commission shall report to Parliament on this important subject, and it can scarcely be denied that further information is required before any attempt is made at legislation. Hon. Gentlemen opposite are very confident of being in power before long, and therefore they may indulge the hope that the Report of the Commission on this subject will be ready in time to enable them to legislate upon it themselves. But whoever is to legislate, further inquiry is, as a preliminary, desirable. I will not discuss the question of tests generally, but I may be allowed to point out that the lay test does not impose any restraint on the consciences of the professors. The test does not require them to give in their adhesion to certain religious opinions, but merely to undertake that they will not use their office for the purpose of subverting the religion which is professed by the vast majority of the people of Scotland. That does not appear to be a very serious matter. But if upon full inquiry it is found that these tests do act as a deterrent, preventing good men from accepting professorships, that may be a very good ground for legislation. With regard to the Faculty of Theology, I think it would be a strange thing in Scotland of all places to abolish it altogether, but it may be matter for consideration whether it may not advantageously be thrown open to members of all Protestant denominations. Whether or not this arrangement will be acceptable to other denominations is a vital point for consideration, and this is just one of those matters upon which the Report of the Commission will be very valuable. Now, the Member for West Aberdeenshire (Dr. Farquharson) spoke as if in the Bill some change had been made that would have a prejudicial effect on the medical school of the University of St. Andrew's. The hon. Member is mistaken, for the present Bill, like the last one, leaves the question to be dealt with by the Commission subject to the consent of the University itself, and of the authorities of Dundee College. I desire to express the great gratification of the Government at the way in which the Bill has been received, and also a hope that the same spirit will be shown at a subsequent stage of the measure. I believe that the House by passing this Bill will earn the gratitude of the people of Scotland who are so deeply interested in everything that concerns the Universities of their country.

*Mr. CAMPBELL-BANNERMAN (Stirling District): I promise that my remarks shall be very few, for we all agree that this debate ought to close to-night, and I dare say there are one or two Members who still have something to say. I approach the question of reform of the Scottish Universities, in one sense, in an extremely conservative spirit. I think the first object in our mind should be to maintain unimpaired the main characteristic of these Universities. That characteristic is, and always has been, that they are essentially national institutions in the fullest sense of the term—that is, Universities, not only of the Scottish people, but of the poorest of the Scottish people. This is the great ground of contrast between the Scottish and the English Universities. Those of us who have had the advantage of passing, possibly, the happiest years of our life at an English University, must look back with gratitude and affection towards it; but, at the same time, the fact remains that, with their great emoluments and all the advantages they possess, the English Universities have never succeeded in doing more than to scratch the outside of the national life of England, whereas the Scottish Universities have penetrated the very heart of the national life of Scotland and identified themselves with it. With the slenderest means the Scottish Universities have gathered within

their precincts the youth of all classes, spreading the light of learning to every part of the country. Recognizing these characteristics, we should do our utmost to develop the Universities on their old lines. I have seen of late years, with considerable dislike and suspicion, a tendency, expressed perhaps more in language than in action, to Anglicize the Scottish Universities and to make them, to use a detestable word, for which I know no synonym, more "genteel" than they have been in the past. The main purpose of the Bill appears to me to proceed in the right direction. In the first place, it endeavours to infuse a larger degree of the lay element into the management of the Universities by the constitution of a University Court on a somewhat wider basis. The hon. Gentleman who has just sat down said that when public opinion was referred to in connection with this Bill, it meant University public opinion, but there I venture to differ from him. We know what University public opinion is. I dispute altogether that the University exists for the professors or the old graduates, or the men who happened many years ago to have spent a few years within its walls. The people who are interested in the efficiency of the Universities are the great mass of the community, and I should, therefore, be glad to see some sort of municipal access to the University Court, so as to secure some kind of outside representation on the University body. The second proposal having the effect of extending lay control in University affairs is the appointment of an Executive Commission. I join in criticising the constitution of the Commission, and my chief objection is that it is too large. If you have a Commission appointed for a small and definite purpose, which will hold some half-dozen sittings, it does not matter much whether it consists of five or 20 members; but this is an Executive Commission, which will sit continuously for three years, and the result will be, practically, that you will have different Commissions sitting upon different branches of the same subject, according as particular members may attend. Some of those members whose names most attract confidence cannot possibly attend regularly at the Commission meetings, and I am bound to say that though the list includes a good many friends of my own they are mostly taken from one class of opinion, and their names are not likely to secure the confidence of the Scottish people at large. The Bill further proposes to provide for the affiliation of colleges and the development of extra-mural teaching, and I think that the part of the Bill which affects extra-mural teaching should be accentuated more strongly. The fact is, when we speak of these Scottish institutions as Universities, we do not mean the English idea of a University; they are much more like colleges with the power of conferring degrees, and the professors are more like the lecturers in an English college; they teach in classes, and the system is more collegiate than like an English University. In fact, locally the University is always referred to as the College. What we have to do is to develop the University element in them, and to give them larger powers of conferring degrees to students in affiliated colleges. I see signs of difficulty in this association or affiliation, but I hope these difficulties will be got over. There is general consent as to the main objects of the Bill, and I think, on the whole, the Bill has benefited by the long delay. The good that is in it far outweighs the objections that may be urged. As to the great difficulty of the Theological Faculty, I think the sooner the tests are done away with the better. They are antiquated and valueless for any purpose. And even if tests were not in all cases out of place, why should Hebrew, more than Greek; why should Ecclesiastical History, more than civil history, be the subject of tests? Even Divinity itself—divinity in the abstract, as we say in Scotland—might be taught without any tests whatever, as in foreign Universities. But more than that, this is not merely a question of tests; the Divinity Faculty is the training school for the ministers of the Established Church of Scotland. But I hold it is no part of the duty of a national University, maintained by national funds, to train candidates for the ministry of a particular denomination. It is its duty, so far as its funds and its organization permits, to furnish instruction in all branches of human knowledge and research, but not to train apprentices for the defence and propagation of some particular form of religious belief or ecclesiastical organization. The present

system is therefore unsound in principle. But it is more—it is unjust in its practical results. The other Churches in Scotland have been obliged to set up training colleges which are fully equipped, and the number of students in those Colleges, excluding the Catholic and Episcopalian Colleges, is 459, as compared with 253 at the Universities. Yet no relief from this grievance is afforded by this Bill, and it will hardly be believed that the proposed Commission does not contain one single member belonging to the Churches which are thus aggrieved. The only true principle is to abolish these tests, and to let each Church, whether Catholic, Episcopalian, Presbyterian, or otherwise, maintain some system for educating and training its own ministers in those parts of their education which require separate instruction. I dispute altogether the propriety of remitting a great question of principle such as this to the Commission. I know that this was proposed in former years by the Government to which I belonged, but I disliked the proposal then as I dislike it now. Parliament betrays its duty if it shrinks from saying aye or no on the subject. I believe there is a strong feeling on the question in Scotland. There is little enthusiasm for the Bill, but the moment this question is raised of the Theological Chairs there is plenty of enthusiasm. Subject to these observations, I have no objection to the Bill, and I think we may look forward to the passing of an amended and useful measure this Session.

*Mr. JAMES STUART (Shoreditch, Hoxton): I will not prevent the Second Reading being taken to-night. I have but a few words to say, and my intimate connection with one of the Scotch Universities must be my apology for interposing. The Solicitor General referred to St. Andrew's, and I hoped he was about to correct the mistake into which the Lord Advocate was led when he spoke of that University. As to the merits of the clauses for the affiliation of colleges, I welcome those clauses cordially, but with regard to the affiliation of St. Andrew's and Dundee, my own opinion is that the clause is inferior to that which was previously introduced in the Bill which came down to us from the House of Lords. But the reason for the change seems now to me to be explained by the view expressed by the Lord Advocate that St. Andrew's is in a moribund state. This is a mistake. The attendance at St. Andrew's is now twice as numerous as it was when I was a student there, and there are more students now than there have been at any time previously, except during the short time when Dr. Chalmers was such an attraction. Part of the work of Dundee is of a kind similar to that at present done in St. Andrew's, but the main function of Dundee is its evening classes, and this differs very largely from the main function of an University. And if the University of St. Andrew's be moribund, it is thus not possible that it can be resuscitated by fusion with Dundee.

*Mr. J. P. B. ROBERTSON: What I did was to express the impression that was given rise to by a section in a Bill introduced by right hon Gentlemen opposite, in which there was a provision made for the extinction of the University of St. Andrew's.

*Mr. JAMES STUART: And nobody was more bitterly opposed to that clause than myself. I have a peculiar right to speak in regard to the affiliation of St. Andrew's and Dundee, having had to deliver the inaugural address at Dundee College, and nobody can have a higher opinion of the objects of that institution than I have. Still, as I say, a large portion of its functions are essentially different from those of St. Andrew's University. I do not wish to be mistaken; I am very desirous of seeing—no one more so—a close and intimate affiliation brought about between them upon a proper basis; that will bring advantage to all parties concerned on the money question. I wish to say that the sum proposed seems to me altogether inadequate. If the whole extra sum proposed to be granted to the Scotch Universities were capitalized, it would amount to £400,000; but even if every penny of that sum were expended on the plant necessary for laboratories and scientific teaching, Scotch Universities would still be miserably behind the Universities of Europe in respect of appliances for scientific teaching.

Sir G. CAMPBELL: I beg to move the adjournment of the debate.

Motion made, and Question proposed, "That the debate be now adjourned."—(*Sir G. Campbell*).

*MR. W. H. SMITH: I would earnestly appeal to the House to give the Bill a Second Reading now. We have had a most interesting and fair debate, and I believe the whole House desires that the division should be taken now, and any further discussion taken in Committee.

DR. CLARK (Caithness): There are four or five Scotch Members who are still desirous of speaking, and especially upon the financial aspect of the measure, and it cannot make much difference whether these speeches are made now or in Committee. I beg to support the Motion of the hon. Member that the debate should be now adjourned. It is really a very important matter, and it affects the political union between England and Scotland, and I do not think that the question we shall have to raise can be dismissed in this fashion. I believe, also, if the discussion be taken now, it really will tend to limit Committee discussions, when we shall be restricted to special Amendments.

Question put, and negatived.

DR. CLARK (Caithness): There is one aspect of this question which I think is of great importance——

*MR. W. H. SMITH rose in his place and claimed to move, "That the Question be now put."

Question put, "That the Question be now put."

The House proceeded to a Division.

Mr. Crilly was appointed one of the Tellers for the Noes, but no Member being willing to act as the Second Teller for the Noes, Mr. Speaker declared that the Ayes had it.

Question, "That the Bill be now read a second time," put accordingly, and agreed to.

Bill read a second time, and committed for Tuesday next.

SUPPLY.—REPORT.

Resolutions [18th June] (see page 127)

First and second Resolutions agreed to.

Third Resolution postponed.

Resolutions 4 to 12 agreed to.

On Resolution 13,

THE FIRST LORD OF THE ADMIRALTY (Lord G. HAMILTON, Middlesex, Ealing): As this Vote covers the salaries of the officials in the Hydrographer's Department, I desire to draw attention to a statement made in Committee of Supply bearing upon that Department. The hon. Member for Preston (Mr. Hanbury) stated that there was in the British Museum a chart of Comino Channel with the rock upon which Her Majesty's ship *Sultan* struck—a chart prepared by a Colonel Wilkinson. I have inquired into the matter, as some reflection seemed to be cast on the Hydrographer's Department, and I have found that there are one or two maps of the channel in question, but they are on a very small scale. Search has been made to see whether there is anything to mark the rock, and since the discussion a second search has been made, but no map has been found with that particular rock marked upon it.

MR. HANBURY (Preston): Can the noble Lord say whether any chart has been found at Malta with this rock marked on it?

MR. SHAW LEFEVRE (Bradford, Central): I may perhaps be allowed on this Vote—for the First Lord's salary—to ask a question I desired to put on Vote 10. That Vote was originally taken out of its order in Supply without notice, and I was not present when it came on. Again, to-night I was absent when it was reached. I did not wish to take part in a Division which was impending just now, and consequently was in the lobby when Vote 10 was called from the Chair. I desire to ask what it is intended to do in the matter of the repair of Alderney Harbour. I believe the money spent on that harbour absolutely thrown away, and I believe the House has already determined by direct Vote that the item shall not appear again. I will move to reduce the Vote if necessary, in order to raise this question.

*MR. SPEAKER: Does the right hon. Gentleman move to reduce the Vote?

MR. SHAW LEFEVRE: I want to hear the noble Lord's explanation first.

LORD G. HAMILTON: There is no intention of extending or developing any works at Alderney. The only purpose

for which this small sum is voted is to keep in order a small break-water.

Resolution agreed to.

Resolutions 14 to 19 agreed to.

On Resolution 20,

*Mr. LEES (Oldham): May I ask why it is thought necessary to insist on the tails of cavalry horses being so long? If horses with their tails docked were accepted we should get better animals. Anyone who knows anything about a horse-breeder is aware that if a horse has good shoulders he docks him at once in order to get a better price for him as a hunter, and that if he has not good shoulders he leaves the tail undocked in order that he may sell him to the Government. The Government send round cavalry officers who are good judges of horses, at considerable expense to the country, to select these horses, and all the cavalry officers who choose the horses have to do is to consider the length of the tails and to reject the horses that have not long tails. It is a perfect farce, and really an old woman with a measuring tape would do just as well.

*Mr. E. STANHOPE: The measurement of the length of horses' tails is a purely military question on which I express no opinion. I understand that at present we are able to get an ample supply of horses with the requisite length of tail, and therefore the question raised by my hon. Friend, which is no doubt of great importance, hardly arises.

Resolution agreed to.

On Resolution 21,

*Dr. FARQUHARSON (Aberdeenshire, W.). I was prevented from being present at the discussion of this Vote the other evening from circumstances over which I had no control, and I wish to say a word respecting it. I desire to thank the Government for having taken up the question of soldiers' rations, and also to thank the Committee on the subject for their very able and practical Report. I believe that, as the Committee say, the nation of the soldier is probably sufficient; but I think the period between dinner and breakfast next morning is not sufficiently bridged over. Colonel Burnett, commanding the First Battalion of the Royal Irish Rifles at Mullingar, has presented a very admirable Report respecting what he has been able to accomplish by dint of economy and good management. He provides his men with an excellent breakfast, giving them some kind of relish besides the ordinary plain fare, a good meat dinner, something good for tea, and some supper. This is really done by utilizing the bones which would otherwise be thrown away, and not a single farthing is charged to the regiment beyond the ordinary ration price. I am rather surprised that the Committee did not deal with the special wants of the recruit, who has not the same stable equilibrium of frame as the ordinary soldier, who has to provide for the wants of a growing body, and who has to do a great deal of work of a new kind. I am sorry it has not been found possible to print the evidence taken by the Committee. I think the Report, however, is a very good one, and I thank the Committee for their excellent work, and the Government for having taking up the matter.

Resolution agreed to.

Remaining Resolutions agreed to.

Postponed Resolution to be considered upon Thursday next.

TECHNICAL EDUCATION BILL. (No. 27.)

Considered in Committee.

(In the Committee.)

Clause 1.

Committee report Progress; to sit again upon Monday next.

REPRESENTATION OF THE PEOPLE (SCOTLAND) BILL.

On Motion of Dr. M'Donald, Bill to amend "The Representation of the People (Scotland) Act, 1884," ordered to be brought in by Dr. M'Donald, Dr. Clark, Mr. Macdonald Cameron, and Mr. Mackintosh.

Bill presented, and read first time. [Bill 282.]

PALATINE COURT OF DURHAM BILL.

[*Lords.*]

Read the first time; to be read a second time upon Monday next, and to be printed. [Bill 283.]

House adjourned at twenty-five minutes before One o'clock

HANSARD'S PARLIAMENTARY DEBATES.

No. 5.] FIFTH VOLUME OF SESSION 1889. [JUNE 29.

HOUSE OF LORDS,

Friday, 21st June, 1889.

COMMITTEE OF SELECTION FOR STANDING COMMITTEES.

Report from, That the Committee have added the Lord Balfour to the Standing Committee for Bills relating to Law, &c., for the consideration of the Advance Notes to Seamen Bill, and the Weights and Measures Bill. Read, and ordered to lie on the Table.

OFFICIAL SECRETS BILL.

Brought from the Commons; read 1ª and to be printed. (No. 112.)

MUNICIPAL FRANCHISE (IRELAND) BILL. (No. 103.)

LORD DENMAN asked the Lord Chancellor if this Bill might be reappointed on some day convenient to the House?

THE LORD CHANCELLOR: The Motion for the Second Reading and the Motion moved as an Amendment to it have both been withdrawn, and it is, therefore, quite in the noble Lord's option to put the Bill down for any night he likes.

LORD DENMAN: Then, with your Lordships' permission, I will put it down for Thursday next.

House adjourned at a quarter before Five o'clock to Monday next a quarter before Eleven o'clock.

HOUSE OF COMMONS,

Friday, 21st June, 1889.

PRIVATE BUSINESS.

NORWICH CORPORATION BILL.

Ordered, That, in the case of the Norwich Corporation Bill, Standing Orders 84, 214, 215, and 239 be suspended, and that the Bill be now taken into consideration, provided amended prints shall have been previously deposited.

Bill considered.

Ordered, That Standing Orders 223 and 243 be suspended, and that the Bill be now read the third time.—(*Mr. Herbert Gardner.*)

MR. S. HOARE (Norwich): As one of the Members for the City of Norwich, I am anxious to say a word or two in regard to this Bill, affecting, as it does, the sanitary conditions and general well-being of the city which I have the honour to represent. The Bill meets with the unanimous support of the citizens of Norwich; but it is right I should say that at a large meeting of the inhabitants a desire was expressed that an Amendment should be introduced dealing with the somewhat peculiar franchise under which the Guardians are now elected. My hon. Friend, the senior Member for the city, and I have endeavoured to introduce this Amendment, but we have found that by the Rules of this House it was impracticable.

Bill read the third time, and passed.

NEW WRIT.

For the County of Fife (Western Division), *v.* the Hon. Robert Preston Bruce, Manor of Northstead.—(*Mr. Arnold Morley.*)

QUESTIONS.

IRELAND—FAIR RENTS.

MR. BLANE (Armagh, S.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland if he is aware that the Land Commission have issued a list of only 129 cases for fixing fair rents on lands in the Unions of Dungannon, Armagh, and Clogher, the hearing to be in Dungannon, leaving several hundreds of cases without immediate prospect of hearing, though the tenants are being sued for arrears of unfixed rent; and will the Government take into their consideration the reported block in the Land Courts?

THE CHIEF SECRETARY FOR IRELAND (Mr. A. J. BALFOUR, Manchester, E.): The Land Commissioners report that the list of cases to be heard at Dungannon comprises the usual number of cases included in one list, and which can be conveniently listed at one time. So soon as the Assistant Commissioners, to whom it has been issued and who are continuously occupied, have finished the cases contained in it, a further list for the same or the adjoining district will be issued to them.

IRISH NATIONAL SCHOOL TEACHERS.

MR. BLANE: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland if he can state the conditions under which Irish National teachers are permitted to attend the annual examinations for promotion to second class; if he is aware that many candidates for admission to the examinations who have never received unfavourable reports have been informed through their district inspectors that they will not be allowed to attend; and, if he will recommend that such teachers be permitted to attend the forthcoming July examinations?

MR. A. J. BALFOUR: A similar question was replied to on the 4th of June by my hon. and learned Friend the Solicitor General, and it is fully reported in *Hansard.*

INDIAN FAMINE RELIEF WORKS.

MR. BRADLAUGH: I beg to ask the Under Secretary of State for India (1) whether the Secretary of State's attention has been called to the fact that in the Budget Estimate of Expenditure for 1889-90, issued at Calcutta on 27th March, 1889, and since laid before this House, the provision made for expenditure to be incurred in famine relief works during 1889-90 in the whole Empire is only Rx.20,500; (2) whether he will state whence the funds are to be obtained which will be needed to carry out the policy of protection against famine suffering and famine deaths, to which the Government of India, with the sanction of the Home authorities, is pledged—namely, that no effort and no expenditure are to be spared to save life and to relieve distress, seeing that in page 32 of a Paper recently laid upon the Table of this House ("Memorandum on some of the results of Indian Administration," &c.) it is stated, regarding the Famine Insurance Fund of Rx.1,500,000 per annum raised annually since 1878, "no surplus at present exists"; (3) and, whether, with a view to the more satisfactory discussion of the Indian Budget, he will prepare a Return showing the precise purposes to which the Famine Insurance Fund has been applied in each year since the tax was imposed?

*THE UNDER SECRETARY OF STATE FOR INDIA (Sir J. GORST, Chatham): (1) The provision for expenditure in 1889-90 on famine relief is correctly stated in the question. There is a further provision of Rx. 80,000 for relief works. (2). Further expenditure for relief of famine would be met (a) from surplus revenue; (b) from surplus cash balances; or if, contrary to all anticipation, such should become necessary (c) from borrowing. (3). The accounts laid before Parliament already show the purposes to which the Famine Insurance Fund has been already applied; and, if moved for, shall be summarized in such a Return as that suggested.

THE ISLAND OF MARÉ—CASE OF THE REV. JOHN JONES.

MR. JOHNSTON (Belfast, S.): I beg to ask the Under Secretary of State for Foreign Affairs whether the French

Government have awarded any compensation to the Rev. John Jones, of the London Missionary Society, late of Maré, one of the Loyalty Islands, for the loss of his property in that island consequent upon his expulsion by the French Authorities?

*THE UNDER SECRETARY OF STATE FOR FOREIGN AFFAIRS (Sir JAMES FERGUSSON, Manchester, N.E.): The French Government have not undertaken to make any compensation for his expulsion or its consequences. They undertook to make inquiry as to the alleged appropriation of property belonging to the London Missionary Society or to Mr. Jones.

MESSRS. DE LA RUE'S CONTRACT.

MR. BRUNNER (Cheshire, Northwich): I beg to ask the Secretary to the Treasury whether the new contract with Messrs. De la Rue for the supply of adhesive stamps, postcards, newspaper wrappers, and envelopes has yet been completed; and, if so, whether he has any objection to lay a Copy of the same upon the Table of the House; and, whether it is a fact that the post of engraver to the Board of Inland Revenue is now vacant; and, if so, whether, in view of the evidence given before the Select Committee on Revenue Estimates last year, it is intended to make any new appointment to that office?

A LORD OF THE TREASURY (Sir H. MAXWELL, Wigton): The terms of the new contract with Messrs. De La Rue have been practically settled with the exception of some matters of detail which are now under the consideration of the Commissioners of Inland Revenue, the Postmaster General, and the Treasury. The Commissioners of Inland Revenue recently reported a vacancy in the office of engraver owing to the lamented death of the late eminent holder of that office, and the matter is now receiving the consideration of the Treasury.

MR. BRUNNER: The question of policy to which my question is directed is whether it is intended to make any new appointment?

SIR H. MAXWELL: The subject is under the consideration of the Treasury, but no decision has yet been come to.

BONA FIDE TRAVELLERS IN IRELAND.

MR. JOHNSTON: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland if his attention has been called to the following observations of Mr. Justice Murphy, at the last Kilkenny Assizes, in sentencing a prisoner to 18 months' imprisonment for a brutal assault on two young children:—

"A very absurd interpretation was put upon that clause by some magistrates. A crowd of fellows, like a flock of crows, went into a public house three miles away from where they slept the night before, and they were then held to be *bonâ fide* travellers. When they got into the public house they got as drunk as they liked. . . . Those fellows were no more *bonâ fide* travellers than the prisoner would be after going from where he now was to where he would consign him for some time. The interpretation which some magistrates put upon the *bonâ fide* clause was simply absurd. The assault which the prisoner committed on these children was a brutal and a savage one. . . . The only excuse the prisoner had was that he was in a famishing condition for drink. No term could be too strong to apply to the prisoner's conduct, it was savage, wanton, and reckless, and he would sentence him to 18 months' imprisonment with hard labour;"

and, whether the attention of Irish magistrates will be called to the Judge's declaration of the Law?

MR. A. J. BALFOUR: We have no power to give instructions to magistrates on points of law; but I have no doubt the publicity he desires to give to the ruling of the learned Judge will be obtained by the fact of my hon. Friend having put the question to me in this House.

LONDON THOROUGHFARES—ESSEX STREET, STRAND.

MR. DE LISLE (Leicestershire, Mid): I beg to ask the First Commissioner of Works whether he will consider the advisability of widening and altering Essex Street, Strand, now a *cul de sac*, so as to make Essex Street a thoroughfare running directly to and from, and at right angles to, the main south entrance of the Law Courts and the Temple Landing Stage, thus joining the Strand and the Thames Embankment midway between Blackfriars Bridge and Westminster Bridge, for the further relief of congested traffic, and to enhance the dignity and beauty of the Law Courts, as set forth in a work entitled "The Majesty of London?"

THE FIRST COMMISSIONER OF WORKS (Mr. PLUNKET, University of Dublin): I have no control over nor, in fact, anything to do with the approaches to the Law Courts. I have no authority to make new streets or subways, and if I had the authority I have not the funds.

THE SIDFORD POST OFFICE.

MR. BRADLAUGH: I beg to ask the Postmaster General whether he is aware that the District Post Office, Sidford, near Sidmouth, of which Mrs. Symons, deceased, was postmistress, has been conducted for many years without complaint; whether for several years past the active duties of postmistress have, during the failing health of Mrs. Symons, been really performed by Miss Susan Mitchell, the sister and co-partner of Mrs. Symons; whether, on the death of Mrs. Symons, the post office has, without cause assigned, been removed to another part of the village, although Miss Mitchell was able and willing to continue to conduct the post office; and, whether he can state the reasons for this course?

THE POSTMASTER GENERAL (Mr. RAIKES, University of Cambridge): The facts relating to the Sidford Post Office are, I understand, as alleged by the hon. Member. The appointment has been made upon the nomination of the Lords of the Treasury, with whom, and not with the Postmaster General, rests the selection of persons for offices of this class.

MR. BRADLAUGH: Do not the facts which the right hon. Gentleman has stated render it a hard case that this lady should be deprived of what has been practically her livelihood for the last few years, seeing that she has performed her duties properly?

*MR. RAIKES: My only function, in a case of this sort, is to ascertain whether the person nominated is a proper person.

IRELAND—IRISH DETECTIVES IN SCOTLAND.

DR. CAMERON (Glasgow, College): I beg to ask the Lord Advocate whether his attention has been called to the case of Mr. Kelly, commission agent, Westport, Ireland, who is alleged to have been "shadowed" by Irish detectives during a business visit to Glasgow and Edinburgh extending from 22nd May to 31st May; whether it is true, as stated, that these Irish detectives followed Mr. Kelly from Greenock to Glasgow, put up at the same hotel with him, tracked him to the house of a Glasgow merchant, who had invited him to pass the night there, and hovered about offices of merchants with whom he was transacting business; that when, through the interference of one of the merchants, they were confronted with Mr. Kelly, they stated that if he would detail to them his movements in Scotland they would not trouble him so much, and excused themselves by saying that they were just performing the duty assigned to them; whether the men referred to were really detectives as they stated; and, if so, by what warrant or what authority they interfered with Mr. Kelly's movements in Scotland, and especially under what authority known to Scottish law they obtruded the fact of their presence and alleged business on the merchants with whom Mr. Kelly was transacting business, in a manner calculated injuriously to affect his credit?

*THE LORD ADVOCATE (Mr. J. P. B. ROBERTSON, Buteshire): I am informed that, from the 22nd to the 24th May, the movements of Mr. Kelly in Glasgow and the neighbourhood were watched by Irish detectives. The detectives did not put up at the same hotel, nor did they track him to the house of a Glasgow merchant. On the 24th May a merchant with whom Mr. Kelly was dealing and with whom one of the detectives was acquainted proposed to introduce, and did introduce, the detectives to Mr. Kelly. No question was asked by the detectives of Mr. Kelly, but Mr. Kelly mentioned that he was on a business visit and was going to Edinburgh and other places; and thereupon the detectives ceased from watching his movements. Nothing was done by the detectives which required any special warrant or authority to be obtained in Scotland.

DR. CAMERON: Can the right hon. and learned Gentleman say that Mr. Kelly's movements were not watched on more than one occasion?

*MR. J. P. B. ROBERTSON: I do not know the particulars, but I have stated that his movements were watched on the days I mentioned.

MR. SEXTON (Belfast, W.): Upon what grounds were the police entitled to follow this gentleman in Scotland when he was engaged there in the pursuit of his own lawful business? Did the police possess a warrant?

*MR. J. P. B. ROBERTSON: The question upon what grounds the detectives acted is one which it does not fall within my province to answer. As to the second, I may say that no warrant was required.

DR. CAMERON: I beg to give notice that upon the earliest opportunity I will call attention to the administration of justice in Scotland by the English and Irish Authorities.

MR. SEXTON: If the right hon. Gentleman is unable to answer my question, to what Department may I look for an answer?

*MR. J. P. B. ROBERTSON: I stated that I believe the police engaged were Irish detectives; and I should suppose that this sufficiently indicated to the right hon. Gentleman the Department of Government concerned.

MR. SEXTON: Is the Chief Secretary for Ireland able to say whether it was by his authority that these detectives followed this Irish gentleman to Scotland?

MR. A. J. BALFOUR: I think that is a question which ought to be put down upon the Paper. I believe that this gentleman was imprisoned under Mr. Forster's Act as a suspect.

MR. SEXTON: Eight years ago.

THE LIGHT RAILWAY BILL.

MR. JOHNSTON: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he has received a memorial, adopted at a public meeting, in Ardglass, County Down, on the 12th June, in favour of including a railway from Downpatrick to Ardglass in the Light Railway Bill recently introduced; whether the Second Report of the Royal Commission on Irish Public Works, dealing with railway extension in Ireland, specified this railway as the first of those to which the Commissioners recommended that assistance should be given; and whether, considering the great utility such railway would be in developing one of the most important fishing industries in Ireland, and its general benefit to the United Kingdom, he will favourably consider the claim of this short line, which can be constructed at a small cost, to be included in the Bill before the House?

MR. A. J. BALFOUR: The memorial mentioned has been received. It is also the case that the proposed railway is No. 1 on the list of lines specified by the Royal Commission as those to which they advised assistance should be given. I would, however, point out to my hon. Friend that the present proposals of the Government with regard to light railways have no reference to any particular scheme. Every case, however, coming within the scope of the Bill will receive careful consideration at the proper time.

THE PONSONBY EVICTIONS.

DR. KENNY (Cork, S.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he is aware that, at the evictions which took place on the 18th instant at Gurtroe, near Youghal, county Cork, Colonel Caddell ordered the police to break by force, and against the protest of the owner, Canon Keller, into the chapel grounds at Gurtroe, and that the police, in obeying the order, broke the railings surrounding grounds, and refused to leave when requested to do so by Canon Keller; and when he and Mr. Lane, M.P., asked for the names of the members of the police force who had broken into grounds, the officer in charge refused to give them; whether Captain Plunkett, when applied to by Canon Keller to remove the police from the grounds, his private property, refused to comply with the request; whether the conduct on the part of those in charge of the police was sanctioned by the Irish Government; whether there is any legal warrant for the police to so break into private premises in which no illegal act was being at the time committed; and whether he will inquire into the matter, and give such order as will in future prevent the occurrence of such proceedings?

MR. SEXTON: I wish also to ask the right hon. Gentleman whether he is aware that on Tuesday last, the police engaged in the Ponsonby Estate clearances broke into the grounds of the Catholic Church, the property of the parish priest, against his will, expelled people who were there by his leave, and remained there after he directed them to withdraw; that when the

parish priest, the Very Rev. Canon Keller, accompanied by Mr. Lane, the Member for the Division, went to where Captain Plunkett, the person in chief control, was standing on the high road, and made a representation to him as to the action of the police, he replied, "Go about your business," and thereupon gave an order which the police executed by pushing Canon Keller and Mr. Lane violently for some distance along the public road, and that a person named Crockett, who had been allowed inside the lines, insulted a young girl, daughter of a widow, an evicted tenant, by asking her to kiss him; whether this insult was also offered to her by Colonel Caddell, R.M., who told her that she must have been kissing the police, the girl having been arrested in her mother's house at the time of the eviction, and kept in custody without any friend to protect her; why Crockett was admitted within the cordon; and, what was his business there?

Mr. A. J. BALFOUR: The Constabulary Authorities report that in connection with the evictions mentioned a disorderly mob had assembled inside the chapel and chapel yard, having been apparently brought together by the ringing of the chapel bell, used as a signal for that purpose. The mob assailed the police and all concerned in the execution of the law with the most filthy language, offering every obstruction to the Sheriff and his party. Canon Keller took no steps whatever to restrain this unlawful assembly. He was joined in a short time by the hon. Member for East Cork (Mr. Lane). The police were directed to disperse the unlawful assembly, and in doing so had to climb over the railings. Canon Keller was requested to remove this disorderly mob, but did not do so. If he had done so the police would have been withdrawn from the chapel yard.

Mr. SEXTON: Is it the fact that at the time of the attack on the people these persons were assembled in private grounds, and that they did nothing but cheer? If that is so, were the police justified in breaking into a private enclosure against the will of the owner, and in expelling the persons found there? With regard to the assault on Canon Keller and Mr. Lane I have received a telegram from my hon. Friend the Member for East Cork (Mr. Lane), in which he states that he and Canon Keller were assaulted and violently pushed along the public road, that Canon Keller protested against the illegality of the police remaining in the chapel grounds, and the danger which might ensue of a collision with the people. As to the assault offered to the young girl, by the man named Crockett, the right hon. Gentleman has passed over that matter altogether. Is it true Colonel Caddell, pointing to something on the girl's breast, said she must have been kissing a policeman inside—meaning something worse? I want to know by whose authority this insult was levelled against this poor girl?

Mr. A. J. BALFOUR: The police have no knowledge whatever of the alleged action of Mr. Crockett, and Colonel Caddell entirely denies that any such language was used by him. I am given to understand that the girl in question and her sister used filthy and obscene language in reference to the police; but I have no information in regard to the matter beyond that which I have already given.

Mr. SEXTON: As the right hon. Gentleman has not only denied the assault, but has added a gross and offensive imputation against the girl, who is the daughter of honest and respectable parents, I wish to know if he will authorize an inquiry into the truth of her statement. I can assure the right hon. Gentleman that the matter will not be allowed to rest where it is without a searching inquiry.

Mr. A. J. BALFOUR: So far as imputations are concerned it hardly becomes the right hon. Gentleman to make any charge against me. I have simply answered the questions put to me. I said that the police have no knowledge of the alleged action of Mr. Crockett, and I must remind the right hon. Gentleman that when he put the question yesterday I told him that I might not be able to give a complete answer to-day.

Mr. SEXTON: I will repeat the question on Monday, and I will then ask what steps the right hon. Gentleman proposes to take in order to do justice to this insulted girl.

METAL FUSES.

Mr. CUNINGHAME GRAHAM (Lanarkshire, N.W.): I beg to ask the Secretary of State for War if it is the

case that all the fuses (metal) made at Woolwich and Elswick are made from the plan invented by Mr. Jobson, of Newcastle-on-Tyne; and, if so, whether any compensation has been made to Mr. Jobson for the use of his invention?

*THE SECRETARY OF STATE FOR WAR (Mr. E. STANHOPE, Lincolnshire, Horncastle): No, Sir. It is not the case. The claims of Mr. Jobson have been repeatedly brought before successive Secretaries of State, who, after referring the question to the Ordnance Council, have decided that they are inadmissible.

THE SWISS LABOUR CONFERENCE.

MR. CUNINGHAME GRAHAM: I beg to ask the Secretary of State for Foreign Affairs if the instructions furnished to the British Delegate at the Swiss Labour Conference preclude him from entering into any discussion as to the limitation of hours of adult labour; and, if he will lay Copy of Instructions upon the Table?

*SIR J. FERGUSSON: Sir, the British delegates have not yet been nominated, but Her Majesty's Government have accepted the invitation to the Conference on certain conditions, one of which is that the British Government cannot discuss any limitation of adult male labour, or the imposition of any restrictions on production. It would not be convenient to lay the instructions on the Table.

MR. C. GRAHAM: Has any other Power objected to discuss the reduction of the hours of labour?

*SIR J. FERGUSSON: I must ask for notice of the question.

MR. J. MORLEY (Newcastle-on-Tyne): Are we really to understand that Her Majesty's Government have instructed their delegates not to enter on any discussion of adult male labour?

*SIR J. FERGUSSON: No delegates have been appointed, but the Swiss Government have been informed that Her Majesty's Government cannot discuss the question of restricting the hours of adult male labour.

MR. J. MORLEY: Then I beg to give notice that on the earliest opportunity, even, if necessary, by moving the adjournment of the House, I shall draw attention to this extraordinary instruction.

IRELAND—THE LAND COMMISSION.

MR. MACARTNEY (Antrim, S.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether his attention has been called to the letter of Colonel Jesse Lloyd which appeared in the *Times* of the 10th instant, and whether it is a fact as stated in that letter, that the Sub-Commissioners are bound by nothing, and that private instructions are sent to them from head-quarters directing the reductions which are to be made, and that since January last they have been instructed to give reductions averaging all round about 33 per cent; whether it is a fact that the recent decisions of the Sub-Commissioners show by far the highest percentage of reductions yet given; whether it is true that the Poor Law valuation is disregarded in fixing judicial rents; whether the statements in Colonel Lloyd's letter as to costs awarded in case of appeal and as regards the taxation of costs are correct, and if he can state what the rules and practice of the Land Commission are in this matter; whether it is a fact that 25,000 appeals are pending in the Court of the Land Commission; and of those appeals what percentage do the appeals bear to the cases heard in the Sub-Commission Courts and the County Courts respectively?

MR. A. J. BALFOUR: The Land Commissioners report that it is not the fact that the Assistant Commissioners are bound by nothing. They are bound in every case which comes before them to inspect the holdings, to mark out the boundaries and classifications of land in the holdings on the Ordnance map. They are also bound, on a form drawn up by the Chief Commissioners, to set out in detail every circumstance of the holding which can affect the question of the judicial rent. A copy of the Report so filled up can be obtained by either party on payment of a fee of one shilling. There is no foundation whatever for the statement that private instructions are sent to the Sub-Commissions from head-quarters directing the reductions which are to be made. Neither is it the fact that since January they have been instructed to give reductions averaging 33 per cent. The

amount of judicial rent to be fixed is a matter altogether for the discretion of the Assistant Commissioners forming each Sub-Commission. No suggestion even has ever been made to them on this subject by the Chief Commissioners. It is not a fact that the recent decisions of the Sub-Commissions show by far the highest percentage of reduction yet given. A statement as to the Poor Law valuation is always required, but that valuation is so uneven that, in the Commissioners' opinion, it rarely affords a guide to the present value of land. The statements as to the circumstances under which a landlord becomes liable for costs of appeals brought by him are correct, but it should also be stated that under the same circumstances the tenant appealing becomes similarly liable to costs. The rule is as follows:—When the landlord appeals, if the judicial rent be affirmed, tenant entitled to costs; if the judicial rent be reduced, tenant entitled to costs; if the judicial rent be increased, but former rent not restored, each party abides his own costs; if the former rent be restored, tenant pays costs. When the tenant appeals, if the judicial rent be affirmed, landlord entitled to costs; if the judicial rent be increased, landlord entitled to costs; if the judicial rent be reduced, each party abides his own costs. When landlord and tenant both appeal, save in special cases, each party abides his own costs. The statement as to the taxation of costs is not correct. The several items of charge in such bills of costs are as a rule fixed charges, varying in proportion to the amount of the judicial rent. The bills are in the first instance sent to the officer of the Commission to settle, but, if either party is dissatisfied, he can require to have the bill taxed in his presence on notice. It is not the fact that 25,000 appeals are pending. There are 6,277 appeals pending from the decisions of the Assistant Commissioners, and 1,012 from those of the County Courts. The appeals so pending from the decisions of the Assistant Commissioners and County Courts are 5·1 per cent and 8·4 per cent respectively of the cases heard by the respective tribunals, allowing for appeals already heard.

Mr. A. J. Balfour

DANGEROUS RESERVOIRS.

COLONEL NOLAN (Galway, N.); I beg to ask the President of the Local Government Board if there are several districts in Great Britain and Ireland in which there would be considerable danger to life if the artificial dams which restrain reservoirs, lakes, or rivers were to burst; if the Local Government Board are in possession of any information as to the areas of some of such districts; and, if so, has he any objection to furnish a Return on the subject; and, in case the Local Government Board are unprovided with such information, is it the duty of any local body to be in possession of statistics on the subject; and, if so, would he specify what local bodies should satisfy themselves on this head?

THE SECRETARY TO THE LOCAL GOVERNMENT BOARD (Mr. LONG, Wilts, Devizes): The Local Government Board have no definite information on the subject of this question, but there can, I think, be no doubt that there are in England artificial dams which restrain reservoirs, lakes, or rivers, and which, assuming that they were to burst, would be attended with danger to life. The Board are not in possession of any information as to the areas which, in the event of such burstings, would be affected. No doubt the areas which would be so affected would necessarily depend very much on the circumstances at the particular time, as, for instance, whether the rivers were in flood or otherwise. I cannot say that it is the duty of any local body to be in possession of statistics on the subject, but, of course, it devolves on the Local Authority in whom the reservoir may be vested to take such measures as may be requisite for securing its stability. I may observe, with respect to reservoirs provided by Local Authorities under the Public Health Act, that notice has to be given in the local newspapers of any proposal to construct reservoirs with a capacity exceeding 100,000 gallons, and, in the event of objection, the works cannot be proceeded with until after local inquiry by the Local Government Board. I may also draw attention to the provisions contained in the Waterworks Clauses Act of 1863, which have almost invariably been incorporated in

local Acts passed since that date for the construction of reservoirs, either by Municipal Authorities or by water companies. Sections 3 and 4 of that Act are as follow:—

"III.—Whenever any person interested complains to two Justices that any reservoir constructed by the undertakers is in a dangerous state such Justices shall forthwith make inquiry into the truth of the complaint; or two Justices, on their own view, and without complaint by any person, may proceed under the present provisions as if a complaint had been so made to them. IV.—If, on any such inquiry, the Justices are satisfied that the complaint is well founded, and that the reservoir is in a dangerous state, and that the danger is so imminent as not to admit of delay in removing the cause of complaint, they shall order such person as they think fit to enter on the property of the undertakers and to lower the water in the reservoir, and to execute and do all such works and things as the Justices think requisite and proper for removing the cause of complaint."

There are also provisions for the Justices requiring the necessary works to be done when they are satisfied that there is cause for complaint, although the reservoir is not in an imminently dangerous state.

COLONEL NOLAN: Am I to understand that there is no Local Authority or public officer who has any information as to the districts supplied?

MR. LONG: That is so. There is no public body which possesses the information.

THE INDIA OFFICE AND THE RECOMMENDATIONS OF THE COMMISSION ON CIVIL ESTABLISHMENTS.

MR. HANBURY (Preston): I beg to ask the First Lord of the Treasury whether the Bill and the Treasury Minute to carry into effect the recommendations of the Royal Commission on Civil Establishments will apply to the India Office, the charge for which falls upon the Indian Revenue, as well as to those Departments the charge for which is borne by this country?

*THE FIRST LORD OF THE TREASURY (Mr. W. H. SMITH, Strand, Westminster): The Public Service Commission has not extended its inquiry to the India Office. But under the Act for the better government of India, 1858, the India Office is bound, as regards admissions to the service, to conform to the Orders in Council, and, as regards compensation, superannuation, or retiring allowances, to conform to the Acts of Parliament which, for the time being, regulate such matters in the other public offices. Any action, therefore, which may be taken in consequence of the Commission's Report will to this extent affect the India Office.

BREWERIES IN INDIA.

MR. CAINE (Barrow): I beg to ask the Under Secretary of State for India, what is the number of breweries in India, the aggregate amount brewed by them, and the total amount of Excise Duty paid by them; (2) what is the average alcoholic strength of the malt liquor brewed by Indian brewers; and (3), what is the average alcoholic strength of toddy in the Bombay Presidency?

*SIR J. GORST: There are 19 breweries brewing 4,860,282 gallons. No Excise Duty is levied, but the imposition of one is under consideration. (2) Is not known to the Secretary of State. (3) Is reported by the Bombay Excise Report of 1886-7 to be as strong as London porter.

THE CASE OF THE DESERTER THOMPSON.

MR. HENEAGE (Grimsby): I beg to ask the First Lord of the Admiralty who is responsible for the blunders, commencing with the long imprisonment of William Thompson, arrested, by mistake, as a deserter from the Navy, and culminating in the attachment of Captain Woodward, and his being taken, under charge of a Sheriff's officer, to Winchester Gaol, whilst in command of the Receiving Ship of Her Majesty's Fleet at Portmouth; and whether Captain Woodward was on board Her Majesty's ship when his arrest was demanded by a Civil Authority; and, if so, by whose order he surrendered himself to the Sheriff's officer?

*THE FIRST LORD OF THE ADMIRALTY (Lord G. HAMILTON, Middlesex, Ealing): The primary cause of the mistake was the false statements made by Thompson, which, coupled with his resemblance to the actual deserter, misled the Police and Naval Authorities into the belief that he was a deserter. Captain Woodward is not exempt from arrest by a Civil Authority, and did not require any order to surrender himself to the Sheriff, who was authorized by a

decision of the High Court to make his arrest.

MR. HENEAGE: My question referred not so much to Thompson as to Captain Woodward. Is it not the case that he was only acting on the orders of his superiors, and for that got himself into trouble?

*LORD G. HAMILTON: It is a very complicated question. Captain Woodward no doubt got orders before he received the writ from the Queen's Bench, and it was owing to some doubt as to the way in which he should carry them out that he acted as he did.

CRAWLING CABS.

MR. HENEAGE: I beg to ask the Secretary of State for the Home Department whether his attention has been called to the great obstruction, danger, and inconvenience caused by the long lines of "crawling cabs" in the most densely-crowded thoroughfares of the Metropolis; and, whether he will take some steps to cause the abatement of this nuisance, by increasing the number of convenient cab-stands, and by a stricter enforcement of the regulations respecting empty cabs?

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. H. MATTHEWS, Birmingham, E.): My attention has been called to this subject. The number of cab-stands has been considerably increased in the last four years. There is now, exclusive of the City and of railway stations, room on the cab-stands for more than half the total number of vehicles that have licenses; and if you take into account the number of cabs accommodated at railway stations and in the City, the number engaged or making their way to cab-stands, the number laid up or brought out only at night, it may fairly be said that there is cab-stand space enough for all the cabs actually awaiting hire at any time of the day. The police do put the law against crawling in force as far as they can, but it is not easy to rebut the cabman's usual excuse that he has just put down a fare and is going to a cab-stand; and I doubt whether very frequent prosecutions for crawling would be encouraged by the Magistrates or approved by the public. So long as the convenience of the public leads them to hire a passing cab instead of sending to a cab-stand, it will be difficult to put a stop altogether to the practice of crawling. I have, however, called the attention of the police to the right hon. Gentleman's complaint.

MR. BARTLEY (Islington, N.): May I suggest to the right hon. Gentleman that more cab-stands to accommodate three or four more cabs on each would be more convenient?

MR. LABOUCHERE (Northampton): And may I suggest to the right hon. Gentleman that the best way of dealing with the difficulty would be to do away with the law forbidding crawling, which is an excellent and most useful thing?

POSTCARDS.

MR. TOWNSEND (Warwickshire, Stratford-on-Avon): I beg to ask the Postmaster General whether representations have reached him urging the adoption of postcards similar to those in almost universal use on the Continent, which, by being made of cheap and light material, would cost and weigh less, and by being larger than our own lessen the danger of loss in transit; whether, as it is stated in the Report of the Select Committee referred to in answer to a former question on the subject of postcards, that the late Mr. De la Rue, the contractor, on 1st May, 1888, said . . . "our prices on certain lines are excessive, I refer to postcards more particularly," . . . and that these prices have since been considerably reduced; also, as it is stated in the same Report, that the Post Office Department is "not administered with any view to an ultimate profit to the State," he can now concede to the public the sale of postcards at their stamp value, allowing any loss therefrom to be met by a portion of the large surplus derived from other paying postal sources; and whether he is aware that private firms are now selling postcards cheaper and better than can be bought at the Post Offices?

*MR. RAIKES: The majority of representations made to me, and amongst them I must include one from my hon. Friend himself on the 11th of April last, have been in favour of the adoption of a single stout card rather than of the adoption of the kind of card which he now indicates, and I hope that before long we may see the light thin card abandoned altogether. With regard to the second paragraph of the question, so far as it relates to the administration

of the Post Office, I must point out that the quotation from the Report of the Select Committee of this House made by the hon. Member appears to me from the context to bear a meaning precisely opposite to the meaning which the hon. Member attaches to it. He is aware that all the half-penny business of the Post Office is conducted at a loss, and I do not think Parliament is prepared to augment that loss by selling cards at the stamp value. I am aware that private firms for advertising purposes sell post cards at less than the actual cost, but I am not aware that such cards are better than those which can be bought at post offices.

VENEZUELA.

MR. WATT (Glasgow, Camlachie): I beg to ask the Under Secretary for Foreign Affairs whether the Government have received advice of serious disturbances in Venezuela, accompanied with threats to massacre the British residents at La Guayra; whether the Government have received information that the President and three Ministers (representing the Guzman Blanco faction) have tendered their resignations, and that the latter have been accepted; and, whether any steps have been taken to insure the protection of British lives and property at Caracas and La Guayra?

*SIR J. FERGUSSON: We heard by the last mail that the President of Venezuela had resigned his office, but that he had on the same day withdrawn his resignation in response to popular wishes. We have not heard of any disturbances or of any danger to British residents.

PORTSMOUTH BARRACKS.

COLONEL COTTON (Cheshire, Worrel): I beg to ask the Secretary of State for War whether the Report of the Board on the sanitary condition of the Royal Clarence and the Gun Wharf Barracks at Portsmouth has been published; and, if so, whether he will lay it upon the Table of the House?

*MR. E. STANHOPE: The barracks in question are not occupied. My hon. and gallant Friend can see the Report, but I do not think it is necessary to lay it on the Table.

IRELAND—MR. D. KILBRIDE, M.P.

*MR. ARTHUR O'CONNOR (Donegal, S.): I beg to ask Mr. Solicitor General for Ireland whether it is a fact that, although Mr. Denis Kilbride, one of the Members for Kerry, was sentenced at one o'clock on 4th April last, at Killarney, to a term of imprisonment, he was not transferred from Killarney Police Barrack to Kilkenny Prison until the following day; and, whether this delay will pratically add an additional day to the period of his imprisonment?

THE SOLICITOR GENERAL FOR IRELAND (Mr. MADDEN, University of Dublin): I am informed that the Prisons Board have decided that under all the circumstances of the case the sentence should count from the 4th of April. The Governor of the Prison has been informed of this decision and will act accordingly.

THE ARMAGH COLLISION.

MR. SEXTON: I beg to ask the President of the Board of Trade whether it is the case that on the Great Northern of Ireland Line of Railway, on which occurred the recent collision, causing the loss of 77 lives and serious injury to over 100 persons, the servants generally have to work from 14 to 18 hours per day, and in some cases men are on duty for a spell of from 18 to 20 hours without relief, and that the station-master at Belfast comes on duty at 6.15 a.m., and does not leave off till midnight, and the porters there come on at 6.15 a.m. and do not leave till 10 p.m.; whether it is the fact that the two men who acted as guards on the excursion train that met with the fatal disaster were untried men, shunters at Newry Station, and had no knowledge of the line or of the duties of a guard, and that one of them, Moorhead, had been on duty 16 hours the previous day, and also from four o'clock that morning, and that his wages were 11s. per week; and whether he, considering what has occurred, will this Session endeavour to pass a Bill to so far regulate the employment of railway servants as to secure that their duties may be performed efficiently, and with a due regard to the safety of the lives of passengers.

THE PRESIDENT OF THE BOARD OF TRADE (Sir M. HICKS BEACH, Bristol, W.): From the Return recently presented to Parliament, it appears that in the month of March, 1888, 208 engine-drivers and firemen were

employed on the Great Northern of Ireland Railway, and that there were 693 instances in which these men were employed for 14 hours and upwards in a day, and eight instances in which signalmen were so employed. There were two instances in the same month in which engine-drivers or firemen had been employed for 18 hours and upwards. I have no information as to the hours of service of the stationmaster and porters at Belfast. With reference to the guards of the excursion train which was recently in collision I can say nothing. It would not be proper for me to express any opinion as to the direct or indirect causes of the disaster until I have received the Report of the officer appointed to inquire into the accident, and during the legal proceedings now pending. As regards legislation, I must refer the right hon. Gentleman to the answer which I gave on the 18th inst. to the hon. Member for North-East Northamptonshire. It is probable that any Bill which may be introduced will deal with other subjects besides that of automatic brakes.

MR. SEXTON: Will the right hon. Gentleman undertake in the proposed Bill that railway servants shall not be worked beyond the maximum number of hours?

SIR M. H. BEACH: I cannot give such an undertaking. It is questionable whether any legislation on that subject is possible.

THE SEAMEN'S STRIKE.

MR. BROADHURST (Nottingham): I beg to ask the President of the Board of Trade whether his attention has been called to the action of the shipowners of the northern seaports in organizing imported foreign and incompetent home labour for the purpose of manning their vessels during the seamen's strike; and whether the Board of Trade has power to interfere in the case of vessels proceeding to sea having on board insufficient or incompetent crews; if not, whether this subject will have his early attention?

MR. MUNRO FERGUSON (Leith): I beg also to ask the right hon. Gentleman whether the officer representing the Board of Trade at Leith, who grants certificates to seamen, is nominated by the Marine Board, a body controlled by the shipowners; whether he is aware that the seamen have no direct representation on that Board; and whether he will consider the desirability of securing to the men such representation, or removing this officer from the control of the shipowners?

SIR M. H. BEACH: The Board of Trade have no power to interfere in the case of vessels proceeding to sea having on board insufficient or incompetent crews. In regard to the question of the hon. Member for Leith (Mr. Munro Ferguson), I may say that all officers of the local Marine Boards are nominated by the local Marine Boards. There are on each local Marine Board six members elected by the shipowners, and four members nominated by the Board of Trade, and the Mayor or Provost and such Stipendary Magistrate or Magistrates as the Board of Trade appoints. I am taking steps, when the time for which present nominated members have been appointed expires, to appoint some representatives of seamen on those Boards. At the present moment I am seeking for such a representative at Leith and London, where there are vacancies amongst the four members to be nominated by the Board of Trade.

THE CASE OF LOUIS DEIMHOLTZ.

MR. C. GRAHAM: I beg to ask the Secretary of State for the Home Department whether he has received a memorial on June 17, also resolutions and petitions as under, in favour of the relief of Louis Deimholtz, of the International Club, 40, Berners Street? Petitions:—Pimlico Radical Club, East London Branch S. L., Hammersmith Branch S. L., North-east Bethnal Green Club, St. George's Branch S. L., Borough of Hackney Club, Borough of Shoreditch Club, Borough of Strand Club; Resolutions at Meetings:—Borough of Battersea Club, Norwich S. L., Glasgow S. L., Yarmouth S. L., Mitcham S. L., Cornwall S. L., Hammersmith S. L., Clerkenwell Green?

MR. MATTHEWS: I have not received petitions from the St. George's Branch Socialist League or the Borough of Strand Club, or resolutions from Glasgow, Yarmouth, Cornwall, or Hammersmith. The other petitions and resolutions referred to have been duly received.

PUBLIC BUSINESS.

MR. H. GARDNER (Essex, Saffron Walden): Will the First Lord of the Treasury kindly say at what time he proposes to take the Tithe Bill on Monday? As there is likely to be considerable discussion, would it not be possible to put the Bill down as the first Order?

*MR. W. H. SMITH: I am afraid that it will not be possible to put it down as the first Order. We propose to take first the Board of Agriculture Bill, and then to take the Second Reading of the Irish Drainage Bills.

MR. D. CRAWFORD (Lanarkshire, N.E.): What are the intentions of the Government in regard to the Committee Stage of the two Scottish Bills?

*MR. W. H. SMITH: It is intended to proceed with the Committee Stage of the Scotch Universities Bill on Tuesday, and we propose to take some other small Bills through the Committee Stage before going on with the Scotch Local Government Bill. When that Bill is reached it will be for the convenience of the House that it should be proceeded with from day to day.

SIR G. CAMPBELL: I wish to ask about the course of business for to-day. Yesterday the First Lord of the Treasury declared that the course of business would be, first, the Army Estimates, then the Post Office Sites Bill, and finally, Class III. of the Civil Service Estimates. On the Paper of this morning, Classes V. and VI. are put down instead of Class III., and now we find that Classes III., V., and VI. were all to be taken. It was not fair to bring these important classes on without due notice.

*MR. W. H. SMITH: By an unfortunate printer's error, for which I hold in my pocket a most humble apology, Class III. was omitted from the Blue Paper. I gave Notice that Class III. would be taken, however, and I hope that, under the circumstances, no objection will be taken.

*MR. BRADLAUGH: I wish to ask your ruling, Mr. Speaker, on this point. As Class III. is not on the Paper can it be taken this evening?

*MR. SPEAKER: Public notice was given that Class III. would be taken, and I have to set that against the printer's omission.

*MR. BRADLAUGH: The Votes printed upon Blue Paper form the Notice sent to Members, and I understood you to rule, Sir, on a previous occasion that unless the Votes were printed on the Paper of the day they could not be taken. The ruling was in answer to an objection raised by the hon. Member for the College Division of Glasgow (Dr. Cameron).

MR. SPEAKER: But in this case public Notice was given, and it is for the House to decide whether Class III. shall be proceeded with or not.

*MR. W. H. SMITH: Perhaps I may be allowed to say that the time has now arrived when the public business may be commenced at a quarter past three. Very little private business remains to be disposed of, and I propose that we shall proceed with public business at a quarter past three on Monday next.

WAYS AND MEANS [18TH JUNE].

Resolution reported;

"That towards making good the Supply granted to Her Majesty for the Service of the year ending on the 31st day of March 1890, the sum of £26,473,944 be granted out of the Consolidated Fund of the United Kingdom."

Resolution agreed to.

Bill ordered to be brought in by Mr. Courtney, Mr. Chancellor of the Exchequer, and Mr. Jackson.

CONSOLIDATED FUND (No. 3) BILL,

"To apply a sum, out of the Consolidated Fund, to the Service of the year ending on the thirty-first day of March, one thousand eight hundred and ninety."

Presented accordingly, and read the first time.

To be read a second time this day, at Two of the clock.

ORDERS OF THE DAY.

SUPPLY.

Considered in Committee.

(In the Committee).

ARMY ESTIMATES.

(1.) £79,300, Half Pay.

COLONEL NOLAN (Galway, N.): I wish upon this Vote to call attention to a singular anomaly in our military administration. It would appear that an artillery officer may

go on manning the batteries, and drawing full pay, or they can retire on half pay, but the extraordinary part of the case is, that if an officer goes on half pay his promotion is more rapid than if he remains on full pay. He gets promoted over the heads of the men who remain with the batteries on full pay. It is certainly a singular anomaly that an officer should be promoted more rapidly if he elects to do nothing, than if he continues to go on with his work. I believe that the Secretary for War is not responsible for the initiation of this state of things, but simply for encouraging it by continuing to go on with it. I am afraid that by establishing a bad precedent of this kind we only succeed in introducing others equally bad in its train.

SIR G. TREVELYAN (Glasgow, Bridgeton): On this Vote I have to put a question to the Secretary of State. Early this year the right hon. Gentleman promised us a statement on the subject of the reduction of the generals' list, and the appointment of generals for specific belligerent duties. I have no doubt the right hon. Gentleman has undertaken this great reform with an earnest desire to carry it through, and that any delay that has taken place, or may take place hereafter, is not his fault; but I think the Committee would be greatly to blame if they allowed this opportunity to go by without some statement being made as to what has been done. I therefore beg to ask the right hon. Gentleman whether he can make such a statement?

SIR E. B. HAMLEY (Birkenhead): I do hope that the right hon. Gentleman the Secretary for War will see fit to make some statement as to the plan for the revision of the general officers' list.

*SIR W. BARTTELOT (Sussex, N.W.): I join in the appeal made by the right hon. Baronet opposite, and my hon. and gallant Friend, and I think it would be to the interest not only of the Committee but of those who are about to enter the Service, and especially of those who are now in the Service, that we should have some definite and distinct statement from my right hon. Friend the Secretary of of State for War on this subject. There are many cases, and many known cases, in which men have been passed over in favour of others, although the services have been equally great, if not greater, than those of the men who obtained the promotion. There is a desire in the Army to know on what principle the selection is to be made, and I hope the right hon. Gentleman will be able to give us some information on this most important question.

*THE SECRETARY OF STATE FOR WAR (Mr. E. STANHOPE, Lincolnshire, Horncastle): I am sorry to be obliged to answer the appeals which have been made to me in the sense in which I must answer them. I have done my best to put forward a scheme, but it is very full of details. If it were not full of details it would be quite impossible to do justice to the claims of the distinguished officers who will be affected by it. It has taken a very long time to prepare the documents in the matter, and I am sorry to say I have not yet obtained the approval of the Treasury. That being so, I should not be justified in stating the details to the House, because it would look like trying to force the hands of the Treasury. I must ask the House to wait a little longer, and I hope that I shall be able to make a statement on the scheme before the close of the Session. I think the House understands the general principle on which the scheme is to be founded—namely, that of making appointments to general officers' posts by means of selection. That is the main principle, and I regret that I cannot enter into further details.

GENERAL FRASER (Lambeth, N.): I earnestly hope that this change will not be carried out by Warrant, and that an early opportunity will be given for a full discussion on this most important subject. Purchase in the Army was abolished by Warrant, not by Parliament. I was concerned to hear, some few weeks back, the short speech of the right hon. Baronet on the opposite Bench. I feel that there is a great want of knowledge of the true state of the case. The abolition of purchase in the Army has never been carried out—in so far that the country is to-day deeply in debt to the officers who entered under the old purchase system. An immense number of officers have large sums of money out in the hands of the Government, never to be touched again—some £4,500, some £3,000, and

other large sums—regulation money, which they were ordered to give formerly for their commissions; and now they are threatened with being passed over when the aim and object of their lives has been to do their duty, and, in time, to rise to the position which they have been promised. I will give but one instance, out of many, to prove the injustice of the present state of matters. Colonel Mussenden has served for 37 years. He was never absent from the Crimean Campaign; was present at the battles of Alma, Inkermann, Tokenaya; rode in the Light Cavalry charge at Balaclava (where he had his horse shot under him); the affair of Bulganar, Mackenzie's Farm, and Siege of Sebastopol; also the Indian Mutiny, campaigning in the intense heat, being present at the capture of Kotal, and he returned to England and commanded his regiment, the 8th Hussars, making it most efficient—of which regiment I have the honour to be full colonel. Again, he went to India in command of his regiment—the Government having the purchase money which he had paid for his steps—on the march to the Afghanistan Campaign, when the new-fangled four years' rule turned him out, so he did not obtain the C.B., which the officer who succeeded him obtained. He was appointed Inspector of Yeomanry in England, proving his efficiency, for five years; then he ran up to the top of the colonels list; but he has been passed over by a very charming gentleman from the Horse Guards—a guardsman, for the last 19 years mostly on the staff—Major General Lord W. F. Seymour—who has served for 35 years, and whose war services are the Baltic Expedition and the Egyptian Expedition of 1882.

*COLONEL BLUNDELL (Lancashire, S.W., Ince): Under the old system there was an immense field of choice, whatever its faults were in other ways. The right hon. Gentleman the Member for South Edinburgh (Mr. Childers) introduced a system under which all general appointments at home were to be held by generals, thereby unintentionally greatly narrowing the field of choice. In making the change proposed, which I think is a right one for the rule, power should be given to the Commander-in-Chief to promote officers who, like Colonel Mussingden, have served under the old system, and been engaged in some of the chief actions of the Crimean War and Indian Mutiny, without reference to particular appointments. My gallant Friend the Member for Lambeth spoke of Lord W. Seymour in rather a disparaging sense. He served in the Baltic as a boy, in Egypt, at Portsmouth, Aldershot, and I do not know where else, and he is, I know, a thoroughly good soldier.

*THE FINANCIAL SECRETARY TO THE WAR OFFICE (Mr. BRODRICK, Surrey, Guildford): I do not think my hon. and gallant Friend who has just spoken has quite appreciated the force of my right hon. Friend's pledge, that he will make a statement to the House When he does so there will be opportunity for discussion, and perhaps it will not be wise to forestall that discussion by any partial statement on either side.

*MR. CHILDERS (Edinburgh, South): May I ask the right hon. Gentleman whether he will postpone this Vote until he can make his statement, so that we may have an opportunity of discussing that statement?

*MR. E. STANHOPE: If the Vote is taken, I will postpone the Report of it so as to keep open an opportunity for discussion.

*MR. CHILDERS: I think that is a fair offer.

Vote agreed to.

(2.) £1,186,600, Retired Pay, &c.

*MR. CHILDERS: I conclude that the promise of the right hon. Gentleman will extend to this Vote also.

*SIR W. BARTTELOT, (Sussex, N.W.): I have a case I wish to bring before the Committee, which I am sorry indeed to be obliged to do. It is the case of Lieutenant General Robert White, now honorary colonel of the 21st Hussars. He was one of the old purchase officers, and £4,500 of his money has been retained, as was always the case when an officer as Colonel was placed on half-pay. He was one of those who looked forward to becoming full Colonel of a cavalry regiment. The pay for the cavalry having been reduced from £1,300 to £1,000 to make it the same as the infantry, it was agreed that all these Colonels should receive that amount. You must remember that Lord Cardwell—then Mr. Cardwell, the Secretary for

War—distinctly stated that no man should be placed in a worse position in consequence of abolition of purchase. General White received from the Military Secretary at the Horse Guards a statement that he was 20th on the list, and at the same time my hon. and gallant Friend the Member for Lambeth (General Fraser) received a statement that he was 21st on the list. He accepted the new terms, but found out his mistake, and after a great deal of trouble has been placed on the old footing, and now receives his £1,000 a year. General officers were offered under the new Warrant a certain amount of increased pay, the pay of a general officer at that time being £1 5s. a day if not employed. General White, having received this information from the Horse Guards, considered what would be the best course to pursue, and went as most military men would do, to the agents to inquire what chance he would have of getting promotion. They told him that he would have no chance of getting a regiment for 16 years if he was the 20th on the list. That being so, he thought he had better accept the proposals made to him. He was abroad at the time, but after he had accepted he made stringent inquiries, and then he found that the statement of the Military Secretary—through inadvertence, perhaps, though, certainly, it was a careless statement to make—was wrong. He found that eight out of the 19 preceding him on the list were not to be promoted. Four had already been passed over, and the other four were passed over subsequently. He was, therefore, really the 12th on the list, and instead of having to wait 16 years, he got a regiment in three and a half years. When a mistake of that kind is made, I am sure the only thing to do is to remedy it, in view, especially, of the gallant services of this distinguished officer. He led the squadron of direction of the 17th Lancers at Balaclava; he had a horse killed under him, and was himself wounded. He also served with distinction through the Indian Mutiny, and has done his duty wherever placed, and I think his claims deserve serious consideration. A letter from General White to his wife at the time when the offer was made shows that he would not have accepted that offer if he had not absolutely believed the statement of the Military Secretary. The hon. and learned Member for Inverness (Mr. Finlay), having been consulted on the point, expressed the opinion that, under the circumstances, General White would be entitled in any ordinary case of contract to rescind the contract on the ground that the facts had been misrepresented. I am sure that view of the case will commend itself to the Committee and to both my right hon. Friends. The Authorities at the War Office are of opinion that General White should obtain the £1,000 a year; and I hope the Chancellor of the Exchequer will see his way, under all the circumstances, to grant his request.

*Mr. E. STANHOPE: I am sorry that my hon. and gallant Friend has thought it necessary to bring this case on for discussion to-day, and in particular because I am afraid I cannot accept the statement he has made to the Committee as being an accurate representation of the case of General White. At the same time, I do not consider it necessary to go into the matter, because the case is the subject of communication between the Treasury and myself, and I believe that the communications will come to a conclusion before long. Until they have done so, I shall not feel myself justified in making a statement on the subject.

General FRASER: The right hon. Gentleman the Secretary for War says he is in communication with the Treasury, and cannot therefore answer; but I would point out that he has been for seven or eight years in communication with the Treasury.

Major-General GOLDSWORTHY (Hammersmith): I hope that the right hon. Gentleman the Secretary of State will be able to give these cases his benevolent consideration.

*Mr. CAUSTON (Southwark, West): I desire to draw the attention of the Committee to the case of the Quartermasters, who have a very great grievance with regard to their retired pay. They have, besides, many other grievances, and I would suggest to the right hon. Gentleman the Secretary for War that he should grant a Committee to consider the questions connected with the status and retirement of Army Quartermasters. The right hon. Gentleman knows, and his predecessors

know, that the Quartermaster has for years past had great grievances. I had my attention drawn to the subject when I first had the honour of representing Colchester in Parliament. When I ceased to represent that constituency the case of the Quartermasters was advocated by the late Colonel Duncan, whose loss is so much regretted in this House. They lost an able champion when Colonel Duncan died, and unfortunately, now, they think they have very few friends either in this House, among the senior officers, or at the War Office. In regard to the question of retired pay, their grievance is that when they are compelled to retire after the longest service £200 a year is the full amount of pension, whereas there are other officers who have also risen from the ranks and who become Coast brigade majors, who are allowed to retire on full pay. Then, again, the Quartermasters have a grievance in regard to their rank. At the time the right hon. Gentleman the Member for South Edinburgh (Mr. Childers) was Secretary for War they were granted the rank of captain during service with the retired rank of major, but under the new Warrant that privilege has been taken away. I wish to point out that the question of rank affects the pensions of widows, and I want, if I can, to persuade the right hon. Gentleman to grant a Public Committee to inquire generally into the grievances of these officers. A similar Committee has been granted in the case of the Medical Department. It is desired that the Committee should not be a departmental one. Unfortunately, the Quartermasters think that there is a prejudice against them at the War Office, and they ask for a Public Committee, in order that their grievances may be thoroughly considered. I trust that they will receive a promise from the right hon. Gentleman that they will not be treated differently from other officers simply because they have risen from the ranks.

*MR. BRODRICK: The hon. Member has entered the House since the beginning of this Parliament, and I think he is not aware that the case of the Quartermasters was specially considered by the Leader of the House soon after the Government came into office. A Warrant was then issued by which considerable advantages were given to Quartermasters, and that Warrant is only two-and-a-half years old now. Every one of the questions which the hon. Member has alluded to were carefully and closely considered. A long correspondence took place between the War Office and the Treasury, and the settlement was taken as fair and satisfactory. Under these circumstances, I hope the hon. Member will see that, even if there is some discontent, it is undesirable that we should re-try the matter. I think that the sort of appeal which the hon. Gentleman has made is not one that the Committee can listen to, having regard to the extensive concessions which were made so very short a time ago. I can assure the hon. Gentleman that both under the last Government and the present the case was carefully considered by the Military Authorities as well as the Authorities at the War Office.

MR. CAUSTON: I have no desire to raise any protracted debate, but I think it is right that I should correct the hon. Gentleman. I re-entered the House of Commons last year, and immediately after my return I had communications with Quartermasters in all parts of the Empire, who expressed their regret that their grievances had not been properly met. In 1887 Colonel Duncan, speaking in this House upon the matter, said—

> "I am sorry to say that the Quartermasters have been treated differently from any other officers who have been promoted from the ranks, and that they have been placed at a great disadvantage."

I can assure the hon. Gentleman that I am not speaking on behalf of an isolated quartermaster, but in the name, and at the request, of Quartermasters serving in all parts of the world—in India, Malta, and elsewhere. I think it would be most unfortunate if the hon. Gentleman and his colleagues were to be left under the impression that satisfaction exists among the Quartermasters at the concessions conferred by the Warrant. On the contrary, I believe that great dissatisfaction prevails.

COLONEL NOLAN: Not only are the Quartermasters a very deserving body of men, but the country gets very good value for the money expended upon them, and if it is desirable for the War Office to display any liberality at all it

ought to be in the case of these officers. At the same time, I wish to point out that this question of retired pay is a growing one. It amounts now to a sum of £1,186,000. I believe that something has been done to keep it down, but still more ought to be done, and every information ought to be given to the House of Commons. It is important, I think, that the average age of the officers retired ought to appear on the Estimates. Upon page 100 of the Votes the ages are entered, and I think there ought also to be a Return of the number retired compulsorily, together with the number retired voluntarily. Some persons are of opinion that to retire men at the age of 44 only makes a difference in the pay. That is an entire mistake, because they are immediately promoted to superior positions if they are practically efficient, and the result is that they receive a largely increased sum. £1,186,000 paid in the shape of retired pay is a very large sum, and will justify the constant attention and watchfulness of the House of Commons. The retired pay of the Medical Department is included in this Vote. I will give an instance of the way in which, in connection with that Department, the system of retired pay is worked. There was an officer who drew £450 a year as surgeon major-general, and for that he had certain duties to perform. He was 45 years of age, and the War Office retired him and gave him an extra pension for doing nothing. They gave him £500 a year, or an addition of £50 to retire and do absolutely nothing.

*Mr. E. STANHOPE: I think that the hon. Member for Southwark (Mr. Causton) was fully justified in drawing the attention of the Committee to the case of the Quartermasters, but I can assure him that the matter has been gone into most carefully; and as to the remarks of the hon. and gallant Gentleman, the question of medical officers is one to which I have paid special attention.

*Mr. ROUND (Essex, N.E., Harwich): I am aware that the hon. Member opposite (Mr. Causton), when he represented Colchester, exerted himself on behalf of the Army Quartermasters, and those serving in the Eastern District fully appreciated his efforts. But during his temporary retirement from this House, a Royal Warrant has been issued by the Government with the express view of remedying the grievances of this branch of the military profession. I believe the concessions made to their claims were appreciated by the Quartermasters, but I would submit that if, under this Vote, there is a further just claim to consideration—and I believe there is such—that it should not be lost sight of by the War Office. I venture to ask the Secretary of State for War to give his personal attention to the point; we recognise that the Quartermasters are a most deserving class, and I think that the House of Commons ought not to be satisfied till full justice has been done to them.

Sir G. CAMPBELL (Kirkcaldy): The fault of the Vote is on the side of liberality, and I entirely agree with the hon. and gallant Member for Galway (Colonel Nolan) that the way in which men are retired and pensioned in the prime of life is most unsatisfactory, and I should like to know whether anything has been done to induce such officers to serve in the Militia and Volunteers. The existing system of commuting pensions is bad. When will the new rules, which have been promised, be issued? The retired pay of officers has increased largely this year, and it is likely to increase still more largely. If I thought that the country got anything from the services of the large number of officers retired in connection with the auxiliary forces, I would not grudge the money, but the only information we get from the Government is that they are doing all in their power to utilize their services. I should be glad to learn whether anything is being done to utilize the services of those officers who are retired in the prime of life. My own impression is that a large number of the officers who are retired in the prime of life would be glad to be kept in the service of the country. In regard to the commutation of pensions, I have always been of opinion that it is undesirable to allow pensions to be commuted for a lump sum. I do not think that it is fair to the State. We lose the services of capable and efficient men, and so far as they are concerned they invest the money in joint stock companies and lose it. A complaint is then made that no provision has been made for them in their old age. I should like to

know what is being done in this respect.

*MR. BRODRICK: It is not correct to say that the commutation of pensions has ever been encouraged by the War Office, the scale of commutation offered being below the actuarial calculation, and arrangements have been made to prevent officers liable to be recalled to service from commuting the whole of their pensions. Attempts have been made to induce officers retired early to serve in the Militia and Volunteers; but no great success has been achieved. The full effect of the Warrant of 1887 has not yet been felt in the Army, but when it is the age of retiring will be considerably raised.

MR. CHILDERS: I wish to say nothing to anticipate the discussion which must take place when the Secretary of State makes his proposal, and the whole subject comes on for consideration. But the House may be interested in having the facts as to the early retirement of officers. In 1880, when I became Secretary of State for War, I found that under the regulations then in force just half the officers in the Army would be retired at 40 years of age. I attacked this abuse, immediately, and a new warrant was issued under which the normal charge for these pensions was reduced from £1,340,000 to £1,000,000 a year. The normal charge was again reduced in 1886 by the Warrant for which my right hon. Friend Mr. Campbell-Bannerman was really responsible, and I have no doubt that the Secretary of State for War in his new Warrant will again reduce it. The evil arises from the Royal Warrant which followed the Royal Commission which sat in 1875 or 1876. There are now very few officers retired at 40 years of age, though too many are retired between 40 and 46. I hope that the right hon. Gentleman will be able still further to cure that evil.

SIR G. CAMPBELL: I hope the right hon. Gentleman will be able to explain why it is that the retired pay has been increased in the present year by the large sum of £33,000? We have received no explanation of that fact, although it appears on the face of the Estimates.

MR. CHILDERS: I can explain it in a single word. The total amount of retired pay would have increased this year about £80,000, but for the Warrant of 1881, which reduced the increase to £30,000. The normal, under the change of system of purchase, is not yet reached.

SIR G. CAMPBELL: I am glad to hear that this runaway horse is likely to be pulled up. In regard to the commutation of pensions I am certainly surprised that there should be an excess this year over what it was the year before. I am sorry the Government are not able to tell us that these retired officers are not inclined to join the auxiliary forces of the country.

Vote agreed to.

(3.) £129,700, Widows' Pensions, &c.

(4.) £12,900, Pensions for Wounds.

(5.) £31,000, Chelsea and Kilmainham Hospitals.

COLONEL NOLAN: I should like to know what is the principle on which men are admitted to these institutions, and how long the men are allowed to remain in them? I am afraid that matters have been allowed to run in a certain groove, and that although certain persons derive great benefit, some old soldiers have the greatest difficulty in obtaining admission.

*MR. BRODRICK: There are three classes of men eligible for admission—namely, men who have lost a limb, men wounded, or who have other disabilities due to service in the field; men incapable from other causes, but in receipt of permanent pensions; and men required for the service of the hospitals within certain limits. Every application is carefully considered by the Board of Governors in respect of length and value of service, and the best men are taken in.

MR. HANBURY: I think we have a right to complain that the whole of the expenditure is not properly stated upon the Vote. In the Admiralty Vote there is a distinct statement of what the whole expense is.

Vote agreed to.

(6.) £1,377,400, Out-Pensions.

*MR. CHILDERS: I should like to know whether the maximum under this Vote has yet been reached. Of course in a few years it must steadily fall off.

MR. BRODRICK: It is believed that the Vote has reached its maximum this year, though it may yet go slightly

upwards in consequence of the very large number of discharges during the year. The position of the Vote has been very much influenced by the pensions to men who were broken down in health by the operations in Egypt. The number of men who are even now breaking down through their health being impaired by those operations is very considerable. The right hon. Gentleman will know that a large diminution in the Vote is anticipated in consequence of the operation of the short service system after the year 1890.

Vote agreed to.

(7.) £177,600, Superannuation Allowances.

COLONEL NOLAN: May I ask if the Secretary for War is in a position to give any information as to the Report of the Committee upon these allowances?

*MR. E. STANHOPE: I have not yet seen the Report.

COLONEL NOLAN: It has been presented to the House.

*MR. E. STANHOPE: I am sorry to say that I have not seen it.

Vote agreed to.

(8.) £43,200, Retired Allowances, &c., to Officers of the Militia, Yeomanry, and Volunteer Forces.

MR. H. COSSHAM (Bristol, E.): When the Volunteer Force was first established we had an impression that it was to cost the country very little. I see, however, that the charge is growing every year. It is, therefore, incumbent on us to see what benefit we derive from the outlay. I am very doubtful whether we receive full value for our money.

*MR. E. STANHOPE: My opinion is that we certainly receive full value for the money expended. I am glad to be able to inform the hon. Member that the charges are greatly diminishing and are now at a maximum.

Vote agreed to.

(9.) £100, Ordnance Factories.

COLONEL NOLAN: May I ask whether any way is being made at the Ordnance Factory in reference to the construction of the wire gun, of which we have heard such wonderful accounts? It is said to be capable of firing a shot 12½ miles, a performance truly wonderful. Is the Factory at the present moment resting on its oars?

*MR. E. STANHOPE: I had a conversation with the Director of the Factory a short time ago, and he told me that he had great confidence in the manufacture of wire guns. Experiments are being made at the present moment.

Vote agreed to.

Motion made, and Question proposed,

"That a sum, not exceeding £258,800, be granted to Her Majesty to defray the Charge for the Salaries and Miscellaneous Charges of the War Office, which will come in course of payment during the year ending on the 31st day of March, 1890."

*MR. MONTAGU (Tower Hamlets, Whitechapel): I have given notice of my intention to move the reduction of this Vote, and my object in doing so is to ascertain from the Secretary for War if he can justify the action of the War Office in refusing to re-admit the public to the riverside promenade near to the Tower of London. Two years ago I presented a petition from about 5,000 of my constituents praying that the Tower Gardens and the promenade might be thrown open to the public. Access to the Tower Gardens was granted, and it has proved to be a very great boon to the inhabitants of the east of London. The Secretary of State for War has admitted that, although many thousands of people have frequented the gardens, no cases of disorder have been reported. I wish to know why the right hon. Gentleman could not go a step further and re-admit the people to the riverside promenade, which they had access to before the Crimean War. At the time of the war the promenade was used for landing stores, but I believe that very few barges ever approach the frontage now for that purpose, and if they did it would be easy to land their cargoes before 10 o'clock in the morning when the public could be admitted. I fear that the real reason why the public are kept away from the promenade is that a few privileged persons, in order that they may appropriate the promenade to their own enjoyment, desires to exclude the public. There is, however, every accommodation for the residents in the Tower in other parts of the grounds. I believe that already some 200 or 300 people who

know how to get permission have passes which enable them to go through the promenade, while the general public are excluded. No disadvantage would be experienced by extending the privilege already granted. The space covered by the Tower Gardens is about two acres, of which about two-thirds are absorbed for plants. The riverside promenade covers nearly an equal space, and as there are no flower-beds, the accommodation for the public is exceedingly good. I may say that the average number of people attending the Tower Gardens daily is about 3,000. The promenade is the very best place to view the new Tower Bridge which is now being erected, and it will prove a short cut for any one crossing the bridge for the purpose of going west.

MR. HANBURY: I should like to know what guarantee the Secretary of State for War has that the small arms in the hands of our troops are in an efficient condition and have been thoroughly tested. Only a day or two ago in the course of a military tournament in which some Yeomanry connected with the Middlesex and Warwickshire regiments were taking part two swords snapped in two, though they were being used by experienced swordsmen. They broke, I am informed, at the first cut, when slicing at the head. I ask the right hon. Gentleman, therefore, what guarantee he has that these small arms are in a satisfactory condition? It is a very important question, and I hope he will be able to give some information upon it. I also desire to ask the right hon. Gentleman what power he has under the Warrant of 1887 to reduce the forage allowance to officers? He has, no doubt, power to vary the allowance, but it is contended by officers who have communicated with me that he has no power to reduce it—any reduction in one species of forage being replaced by an increase in another. For instance, if 2 lbs. of oats are taken away, 4 lbs. of hay are substituted. The War Office have no power to vary the allowance in any other sense.

*MR. STANHOPE: I will answer first the question of the hon. Member for Whitechapel (Mr. Montagu). I have made inquiries with regard to the Tower Walk with a view of seeing whether it can be thrown open to the public, but Government stores are landed there, and though it is true that certain persons who obtain permission are allowed to use it as a thoroughfare, that is very different to having women and children loitering about where they might be exposed to danger. Upon the whole, I find that the convenience of the public service will not allow of the views of the hon. Member for Whitechapel being accepted. With regard to the swords, what occurred at the military tournament was as the hon. Member for Preston (Mr. Hanbury) has stated in the case of Yeomanry swords. Of course these, like all others, ought to be thoroughly tested and sound, but the work of practically renewing all the arms of the Army has been such that it has not yet been possible to carry it out with regard to the Yeomanry. This, however, I trust, will before long be accomplished. As to the guarantee that the swords in the hands of the Army are satisfactory, I have placed the duty of thoroughly testing them upon the shoulders of the Commander-in-Chief and the military officers under his command, who are to satisfy themselves as to the soundness of the weapons. This, I think, is the most satisfactory guarantee that could be obtained, as military men themselves would be the first to suffer if their swords proved defective in an engagement. As to the officers' forage, the point raised by the hon. Member for Preston is a novel one, and I will look into it.

*MR. MONTAGU: I should like to explain to the right hon. Gentleman that the Authorities did object to the admission of the public to the Tower Gardens until it was found that they were orderly, and the permission was consequently continued. I believe that a similar course may be taken with regard to the riverside promenade with the same result. In the case of the Tower Gardens there was a deep moat, which it was said would be dangerous if women and children were allowed to go there, but all that has been necessary has been to put up a railing. The public were admitted to this promenade in former times and no accident occurred. I hope that the right hon. Gentleman will make further inquiry into the matter. There are very few open spaces in or near this neighbourhood. The people have to go to Victoria Park before they can find

any such open space, and the permission to use this promenade would be a great boon. So far as the Government stores are concerned they can be landed at a more convenient time. I shall certainly move the reduction of the Vote by the sum of £100 by way of protest, unless I receive a more satisfactory assurance from the right hon. Gentleman.

*Mr. E. STANHOPE: I can give no other assurance. With regard to the swords I may add that when I spoke of the swords of the Yeomanry I had no information as to what swords were used.

The CHAIRMAN: Does the hon. Member for Whitechapel move the reduction of the Vote?

*Mr. MONTAGU: Yes, by the sum of £100.

Motion made, and Question proposed, "That Item A, Salaries, &c., be reduced by £100, part of the Salary of the Secretary of State for War."—(*Mr. Montagu.*)

Mr. J. ROWLANDS (Finsbury, E.): I feel bound to snpport the appeal of my hon. Friend the Member for Whitechapel for the opening of this riverside promenade to the people. I think the appeal he has made is a very just one indeed. The space was at the service of the public until a comparatively recent period, and as far as I have heard, when the public had the free use of the promenade they never abused the privilege. I know of no part of London where every inch of open space that can possibly be made available can be more advantageously secured. It is a very congested district, and there are very few playgrounds for the children. I hope the right hon. Gentleman will reconsider his decision even now, and grant this much required boon.

Colonel NOLAN: I think the hon. Member for Whitechapel is quite right in urging this matter, and I do not think the Secretary for War has given a satisfactory reason for refusing the appeal. The landing of stores is not on such a scale as to prevent the walk being thrown open to the public. The store arms which are landed there arrive in boxes. There are not many landed there now, as they have been superseded by other stores. I think it right, therefore, that pressure should be brought to bear upon the Government.

Mr. BRYCE (Aberdeen, S.): I must confirm what has been said by the hon. Member for Whitechapel as to the importance of rendering as many open spaces as possible, in such a neighbourhood as that of the Tower, available to the public. I cannot help thinking that if the War Office would take a little trouble in this matter they would find no inconvenience in throwing this promenade open to the public. I have always had serious doubts whether really too much is not made of the Tower for military purposes, and whether it should not be handed over altogether for the use of the public. But apart from that, the need for an open space in this part of London is very much felt by the public, and I think the hon. Member for Whitechapel will be justified in pressing the question upon the attention of the House in the most practical form open to him.

The Committee divided:—Ayes 118; Noes 168.—(Div. List No. 148.)

Original Question again proposed.

Mr. HANBURY: I should like to ask for a little more information as to what is meant by transferring the testing of small arms to the Military Authorities. Under the old system we knew that the Civil Department were responsible, but now it seems there is some danger that we shall not know where the responsibility lies, whether with the Civil or Military Department. I understand that my right hon. Friend has forbidden the weapons to be tested in the regiments themselves, and that the officers who used to apply their own tests are not to be permitted to do so any longer. But I am told that the testing is still carried out by the Civil and not the Military Authorities. That being so I feel obliged to ask for further information. How is the duty of testing the swords vested in the Military Authorities?

*Mr. STANHOPE: There is an inspector who has a staff, and their duty is to inspect all the swords at regular intervals. All the swords in the hands of the troops have to be inspected by this staff.

Mr. HANBURY: Who is to provide the test?

*Mr. STANHOPE: The Military Authorities.

MR. H. H. FOWLER: (Wolverhampton): I desire to call attention to the recent public action of the Adjutant General of the Forces. I want to do so in no Party spirit, but from a Parliamentary and Constitutional point of view. I think that both sides of the House will agree in accepting two principles which ought to be adhered to in the working of our Constitutional system. The first principle is that the permanent servants of the Crown, in whatever department they may be placed, should abstain absolutely from all interference in Party politics. I need not point out the wisdom of such a rule. We have had it discussed lately, and have heard it defended with great ability from the Treasury Bench One of the distinguishing characteristics of the English Service, and that which places it at the head of the Civil Services of the world, is its absolute severance from Party politics. We have a class of highly trained officials who serve both sides in politics with loyalty and who possess the confidence of the House, and I maintain that no greater calamity can arise than to introduce Party politics into that service. As an illustration, I would ask the House what would be the shock of surprise which would run through the House and the country generally if Sir Reginald Welby or Sir Algernon West were to go out on a political campaign and attack the principles or opinions of the Chancellors of the Exchequer under whom they have or might be called upon to serve under? It is almost an insult to those distinguished men to suppose for a moment that they could be capable of such conduct. The other principle is, that however strongly this rule should be enforced with reference to the ordinary permanent civil servants of the Crown, its enforcement is of even greater importance in the case of the military and naval servants of the Crown. We may differ in this House in Party politics in matters affecting expenditure and the administration of the Army and Navy, but hitherto the Army and Navy have possessed the fullest confidence of both sides. One reason for that is their absolute abstention from all interference in Party politics. I need hardly point out that the Queen's Regulations, so far as the Army is concerned—I do not know whether there is a similar regulation in the Navy—absolutely prohibits any officer on service taking part in political demonstrations. I do not wish to insinuate that military or naval men, or civil servants, are to have no politics at all; but the point is, that so long as they are serving the Crown in the capacity of public servants one of the conditions of their appointment is that they shall abstain from Party politics. Of course they have the remedy in their own hands. Any distinguished officer or distinguished civil servant who wishes to take part in politics can, by sending in his resignation, restore to himself absolute freedom. The criticism I wish to make in regard to the Adjutant General is that he has violated these great principles which apply to him as one of the permanent heads of the Army just as much as to anyone else. I will only trouble the House with quotations from two speeches of Lord Wolseley. The speech to which I attach the most importance is a speech not appertaining at all to Party politics, but appertaining to Constitutional politics. The noble Lord is reported to have said at Birmingham, on 25th of January last—

"For the last 50 or 60 years we have gone about the world preaching that there was no Constitution like the British, and we have forced that Constitution and its Parliamentary system, very often against their will, upon the various Dependencies of the Crown. In many cases we have certainly done wrong.'

I am not aware of any case in which the Government of this country has forced responsible government upon any of our Colonies or any of our Dependencies against the wish of the inhabitants of those Colonies or Dependencies. I have always been under the impression that Downing Street has been rather deaf in the first instance to the demands of our Colonies and Dependencies for self-government, at all events in many cases. The noble Lord went on to say he hoped before we began to try to cram this Constitution down the throats of any Dependencies, we should at least go through the form of bringing its meaning home to some of the leading people of those Dependencies.

"Let them," he said, "spend some instructive evenings in the House of Commons. Let them choose specially one of those bright and breezy evenings when affairs are conducted in that gentlemanly manner for which the pro-

ceedings of this House have become so famous. If, after that, gentlemen from the Antipodes shall desire our Constitution, by all means let them have it, but do not let us go swaggering about the world telling everybody that our Constitution is by far the best."

Now, I hold that the second in command of the British Army, a man occupying the responsible position of Adjutant General of the Forces, is bound to be loyal to the whole Constitutional Government of this country. He is bound to be loyal to the Sovereign as a Constitutional Monarch; and whether our system be right or wrong it is the system of the British Constitution, the system under which we all live, of which we are all so proud, that the power in this country rests with the Parliament, and that this Parliament and this House of Commons, which I may say is not spoken of with very great respect by the noble Lord, does control, and ought to control, and I hope ever will control, both the Civil and the Military Forces of the country. If these remarks had been made by an ordinary speaker or an ordinary civilian not much importance would have been attached to them; but remembering our whole Constitutional history, and what has been the outcome of all our struggles—the supremacy of the Civil over the Military power, a principle which is represented by the Secretary of State for War responsible to the House of Commons—I think we are bound to take some notice of this speech. The other point of the speech to which I desire to call attention is that in which the noble Lord referred to all the great nations of the world, certainly of Europe, having adopted a system of universal military service which he said is bound to make their people stronger and healthier than they were before, and physically superior in every way to us. The noble Lord entered into an elaborate and careful defence of the system of conscription, and advocated the application of that system to this country. I am one of those who think that the present military conscription which prevails on the Continent of Europe is the curse of that Continent. I believe it is not the effect but the cause of those rumours of wars of which we hear so much; and we can conceive no greater calamity happening to us as Englishmen—to the moral, social, commercial, and military life of this country—than the introduction into this country of the system of universal conscription. Then I must give the House one citation from Lord Wolseley, which surpasses my understanding.

"Whenever in future you read an article describing the horrible and abominable system of universal military service"

I adopt the words. I believe the system is horrible and abominable—

"I trust you will not condemn it as merely a system invented to provide those great armies with men, but will look upon it as the very highest order of mental and physical education that has ever been devised by man."

Now, I do not think there is a Minister or ex-Minister of Education present; but the statement that the system of military conscription in Europe is the "highest order of mental and physical education that has ever been devised by man," is one of the most extraordinary propositions any public man ever put before any public audience in this country; but when that proposition comes from the Adjutant General of the Forces, when it is stated in that broad unqualified manner in the very centre of a manufacturing and mining industry, to an audience of working people, we are entitled to ask whether that is a statement with which Her Majesty's Government have any sympathy, whether they approve of it, and whether the Adjutant General, in expressing this view of the system of universal conscription, has in the remotest degree the sanction of Her Majesty's present advisers in making such a recommendation to his countrymen? These are the two points upon which, on Constitutional and Parliamentary grounds, I have felt it necessary to deplore the public action of the Adjutant General. There is no mention of Party politics here, but merely a view expressed of our Parliamentary system of Government, and our system of a voluntary Army; but on a subsequent occasion the Adjutant General boldly dashed into Party politics, and thought it consistent with his position and his duty to describe men who for many years were the trusted advisers of the Crown—men under whom he had held office, men on whose advice the Sovereign had conferred upon him honours and distinctions, men under whom he may again be called upon to serve—as

"Political schemers longing for office, and who would willingly see the United Kingdom

torn into pieces, if only they could flourish again in Downing Street."

These may be fair remarks from a political opponent in the House of Commons. If hon. or right hon. Gentleman chose to say that their opponents are political schemers influenced only by the most degraded personal motives, and that they have no political opinions that they consistently hold—all that is fair political fighting with which I find no fault. But it is a condition of holding the office of Adjutant General to the Forces that he, at least, should abstain from remarks of this description, that he should remember that his position forbids him from holding up to public reprobation—I will not mention Members of this House—statesmen like Lord Spencer, and Lord Granville, Lord Rosebery, and Lord Herschell. I say it is not right or proper, not to use any stronger word, that any civil or military servant of the State should indulge in Party attacks of a personal character. I will say no more upon that point. It is a regrettable incident. I am aware that the Secretary of State for War has made, on behalf of Lord Wolseley, a very singular form of apology, if apology it can be called. In these two speeches I humbly submit to the House the limits which properly confines the public action of any military or civil servant of the Crown have been transgressed. I ask the right hon. Gentleman the Secretary for War two questions. Whether Her Majesty's Government adhere to the principle which has been defined, I think, by themselves, and accepted on both sides, that permanent servants of the State should not enter into public Party controversies, and that the Queen's Regulations as to the abstention of officers from Party politics should be maintained? I would also ask whether the recommendation, the advocacy of this accursed system of military conscription, which Lord Wolseley put before the working classes in the Midlands, meets in any degree with the sanction or approval of Her Majesty's Government?

*COLONEL BLUNDELL (Lancashire, S.W., Ince): I have myself heard Lord Wolseley say at a public meeting that he had no Party politics, and it may be that the form in which an unpractised speaker in an unprepared speech puts his remarks may lead his hearers to suppose that which is said of a system is applied to individuals. I would ask hon. Members to read Cardinal Manning's Essay on Education, in which he shows that the Party system does not give the subject fair play, and I conceive that what Lord Wolseley wished to convey was the belief, which I think is shared by most military and naval officers, that the present system of Party does not give the subject fair play. I do not say we can do without it. I know the difficulties. While, undoubtedly, it is not right that a servant of the Crown should speak politically, it would be wrong for an Adjutant General of the Forces to allow the country to be under an entire misconception as to what he really thought with reference to military matters. I may remind the House of what occurred years ago. Reformers in the House used constantly to refer to 1834, when the Duke of Wellington and Sir Robert Peel were in the same Government, and when the Estimates were kept low; and they maintained that when those two great men came together, then the Estimates were correct. But in 1847 there was published the celebrated letter from the Duke of Wellington to Sir John Burgoyne, in which he stated that the defence of the country was in a deplorable state, and that he had never been allowed to get what he wanted. Until that time the people believed that the Duke of Wellington had got all he wanted. What would have been said of him for keeping silent for so long if any accident had happened? Recent changes have placed more responsibility upon the Military Authorities at the War Office. I am not justifying political references; but undoubtedly the country ought to know the opinion of military officers on whom they rely on military matters. With regard to conscription, that is an academical subject, and likely to remain so in these islands. We shall never have conscription. The object of Lord Wolseley's speech was, I conceive, to express his military opinion; but it is to be deplored that his expressions were understood as being directed against any political Party.

MR. STANHOPE: I am rather surprised, after Lord Wolseley's letter and my own statements in the House, that the right hon. Gentleman opposite should have thought it his duty to

again call attention to this subject. But if he thinks it necessary to bring the matter forward of course I have no right to complain. He asks me, first, whether I agree with two propositions he puts forward. With regard to what the right hon. Gentleman has said about the part an officer might take in Party politics, I think the right hon. Gentleman has gone a little beyond the justice of the case. It it were absolutely true that no officer could take any part in Party politics, it would then be impossible for any officer to have a seat in the House of Commons. That is not, I am sure, the intention of the right hon. Gentleman or the House. But I do think that the Queen's Regulations apply to both officers and men, and ought to be rigidly observed by all of whatever station. As regards the other proposition of the right hon. Gentleman—that permanent servants of the Crown, of whom the Adjutant General is one, ought to take no part whatever in Party politics. I give it entire assent. It is a clear and indisputed proposition and one it is desirable the House should accept unanimously; it lays down a rule of conduct for all permanent servants of the Crown. In the particular case to which the right hon. Gentleman referred in passages he did not think it necessary to quote. Lord Wolseley explained that he did not intend his remarks to have any personal application, and in using the language he did my noble Friend probably intended, and do what he has done on more than one occasion, and I regret it, rather to attack those in power whether from the one side or the other on the ground of what he called the Party system, which he contended had been injurious to the Army. But I am quite sure it was not my noble Friend's intention to make the personal attack of which he is accused, his remarks were intended to have a general character, as on other occasions. With regard to the second speech at Birmingham, to which the right hon. Gentleman referred, that is clearly not of a Party character at all. There is no element of a Party character in it. As to the first passage in the first speech to which the right hon. Gentleman called attention, it seems to me to be rather innocent chaff against the House of Commons, as it is not an attack upon it as an abstract institution; chaff to which we are sometimes liable in our mode of conducting business. In the second passage my noble Friend defended conscription in this country. Now, I confess I have always held the opinion that no permanent servant of the Crown should discuss in public questions relating to the Department with which he is connected. But in this case, I have no doubt my noble Friend thought he was putting forward a purely abstract proposition, which he might, therefore, with perfect innocence and fairness bring to the attention of the country. My noble Friend never mentioned to me or the Government his intention to mention that subject. Upon that question the opinion of the Government is exactly what it has always been, and he entirely adopted the language which the right hon. Gentleman has used in condemnation of a system which, I believe, has been a curse to foreign countries, and I hope it will never be adopted in ours.

MR. LABOUCHERE (Northampton): Something was said at the commencement of the sitting about not going on beyond five, but it is now a quarter past. I do not know whether it is intended to keep to that. I have an important point to raise.

*MR. STANHOPE: I think it will be more convenient to finish the Vote before proceeding with any other business.

MR. LABOUCHERE: I am always ready to assist in the speedy disposition of business. As to the present discussion I have been rather amused at the two speeches which have just been made from the other side of the House.

MR. J. ROWLANDS: If I may interrupt for a moment on a point of order, is there an intention to take the Post Office Sites Bill this afternoon?

THE CHAIRMAN: Order, order! That is a question quite out of order.

MR. LABOUCHERE: The right hon. Gentleman the Secretary of War has thrown over the conscription views of Lord Wolseley; and certainly any Ministry that adopts those views is not likely to retain a majority very long in this country. The hon. and gallant Member opposite told us that Lord Wolseley's speech was entirely unprepared. How does he know that? For my part I have only heard one speech of Lord Wolseley's, which was delivered

n the House of Lords, and that speech was read rather than spoken; and the speech of the same noble Lord which is now in question also appears to have been deliberately prepared. The Secretary of State for War said it was not a Party speech, but only a little mild chaff at the House of Commons. Lord Wolseley, however, is an arrant Conservative, and reserved his chaff for the Liberals in the House of Commons, and his speech is an outrageous attack on those who have devoted themselves to the interests of the country in this House. In fact, it was so deliberate and so impertinent, that the right hon. Gentleman himself threw Lord Wolseley over as a Jonah; and when a question was put in the House on that matter the right hon. Gentleman replied that he could not justify the noble Lord in what he had said. The right hon. Gentleman would have done better if he had stuck to that answer on the present occasion. And now, turning to my Amendment, I would say, in the first place, we have a Secretary of State for War who gets £5,000 a year. On previous occasions I have moved that any Minister who received £5,000 should have his salary reduced by £3,000. In Germany the Minister for War gets £1,800 a year, a house and forage for eight horses, he is a military man, and these military gentlemen seem to want to ride on eight horses. But the right hon. Gentleman is not military and does not require eight horses. Putting those eight horses at £500 a year that raises the German War Minister's salary to £2,300. I merely call attention to these facts to excuse myself for not moving a reduction of the right hon. Gentleman's salary, for I am afraid if I did not offer some explanation it might be supposed that I was actuated by personal motives in moving reductions in the salaries of the First Lord of the Treasury and others and not to that of the Secretary for War. My proposition on a former occasion was defeated, by all the Ministers and ex-Ministers rushing frantically into the Lobby in support of these high salaries; and, therefore, the principle has been recognized for this Session that certain Cabinet Ministers are to receive £3,000 a year more than some of their colleagues on the same bench. However, looking down the list I find the salary of the Commander-in-Chief. I notice the hon. Member for Dundee has put down an Amendment to disallow the whole salary of the Commander-in-Chief; but the hon. Member is not in his place and probably does not intend to move his Amendment, and even if he did, I do not know that I should support it. The Duke of Cambridge is not a bad Commander-in-Chief. He is certainly a far better and safer Commander-in-Chief than Lord Wolseley could possibly be if he were to be promoted, owing to his attacks on the Liberals. But however excellent a Commander-in-Chief may be, he may be paid too highly. The maximum salary of the Commander-in-Chief ought to be £4,500. The present holder of the office is stated to receive £6,632 on account of his being a colonel of some regiment before that maximum was established; but he receives a large permanent allowance from the country, and ought to be satisfied with that £4,500. In Germany the Emperor is nominally Commander-in-Chief, but the Chief of the Staff is similar in position to our Commander-in-Chief. The Duke of Cambridge is not a superior Commander-in-Chief to Field-Marshal von Moltke, Chief of the Staff in Germany, who receives £1,500 per annum, a house, and forage for six horses. Allowing £40 for each horse, that would make £240 a year in addition to the £1,500; therefore, our Commander in Chief gets more than double what is regarded as an adequate salary for Field-Marshal von Moltke, who is practically Commander-in-Chief in Germany. Under those circumstances I think it is desirable that the Duke of Cambridge's salary should be reduced by £2,132. That would reduce his salary to the normal standard of £4,500, which has been laid down as adequate and fitting. All our Commanders have salaries much in excess of those given to German or French officers in equivalent positions. I beg, therefore, to move that Vote A be reduced by £2,132, being part of the salary of the Commander-in-Chief.

Motion made, and Question proposed,

That Item A, Salaries, &c., be reduced by £2,132, part of the salary of the Commander-in-Chief.—(*Mr. Labouchere.*)

*MR. STANHOPE: The hon. Gentleman must forgive me if I characterize

his proposal as a little ungenerous. The illustrious Duke has been Commander-in-Chief for many years; he has been in the service of his country for more than 52 years; and I must say it seems to me most ungenerous after this long career—not I hope yet approaching its close—that a proposal of this description should be brought forward. The hon. Member will not deny the important services which the Duke of Cambridge has rendered to the country; and as to the contrast that he has drawn between the salaries paid to the Commander-in-Chief in this and in other countries that is a legitimate criticism so far as it goes in regard to subsequent holders of the office, and one which has been recognised by the War Office in fixing the maximum amount in future. But the Duke of Cambridge still retains the salary given under the previous system, and I cannot help thinking that it would be an invidious and unjust thing now to cut down the salary of His Royal Highness in the way proposed by the hon. Member for Northampton.

The Committee divided:—Ayes 108; Noes 211. (Div. List, No. 149.)

Original Question again proposed.

MR. HANBURY: Sir, I have a Motion on the Paper to reduce the salary of the Director of Contracts by the sum of £100. In moving it I have no personal motive whatever with regard to the Director of Contracts. I am not sure I would know him if I saw him. No doubt I will be told that it is the system which is at fault. In one sense I do attack the system, because I am strongly of opinion that we must have in future a great deal more of open competition in our public contracts than we have had in the past. It is the practice of every other foreign country that the Army contracts shall be put to open competition. But in this country we know nothing whatever as to those contracts. We have no return of how many are put to open competition and how many to limited competition, nor do we know anything of the prices, and whether the lowest or highest tender is accepted. The Auditor and Controller General has lately, on behalf of the public and on behalf of Parliament, tried to control to a certain extent the strange and remarkable way in which the War Office has been dealing with these contracts. He has more than once mentioned cases where the Director of Contracts, having run a certain article at a high price, and having the next year obtained it at a lower price, the War Office has allowed it to go to the Contractor for the preceding year, who had made the contract at a much higher price. The Controller General complained of this over and over again, but he has been driven out of the field by the action of the War Office, and can have no guarantee whatever that the contracts are carried out in the way they ought to be. Then, again, persons who tender receive no information as to whether the accepted tender is lower or higher than their own. These are elementary facts—the A B C of the matter. The system of limited competition means putting a few favoured firms upon the Contractors' list, which is as bad a system as possibly can be. It acts in two ways. It puts immense powers into the hands of the Director of Contracts, and, if he is not purity itself, any one can see the opportunities for jobbery and bribery which are afforded by such a system. Not only does it act as a temptation to the Director of Contracts, but by having a limited number of firms you get a regular ring. Even though there is competition among them, they contrive to share the contracts between them. The reply of the War Office and Admiralty to all this was the old remedy of a Departmental inquiry, which only hushes the matter—which never lets us know anything of the evidence or the Report. But in these Departmental inquiries who do you think were the judges? Why the two men whose positions are attacked—the Director of Contracts in the War Office and the Director of Contracts in the Navy. These are the two men who made the inquiry. Of whom did they make the inquiry? Did they make inquiry of all kinds of firms—contracting and non-contracting—to ascertain their views as to the limited system? Nothing of the sort. They chose about 112 contractors—men who take contracts from the War Office at the present moment. Of course, what answer could they expect except that they objected to open competition. And such reasons as they gave are the most ridiculous ever submitted to a public Department. One reason was that

deterioration of the supplies must follow. Well, I do not think we could get worse under the open system than we have obtained under the limited system of competition, this hole-and-corner system. Then we are told there would be constant rejections. If the supplies were not good of course they would be rejected. Then we are told that it would lead to an increase of correspondence and litigation, though I do not see why there should be litigation because things are rejected which are bad. Then it is suggested that the request to publish information with reference to the contracts is merely to satisfy idle curiosity. The people of this country have a right to have their curiosity, idle or otherwise, satisfied in this matter. But there are people other than the 112 selected contractors who did give an opinion. The Trades' Council of Birmingham, in the interests of the work people, gave an opinion unanimously against the present system, and regarded open competition as absolutely necessary. The Association of Chambers of Commerce expressed themselves unanimously against the present system; and the Chambers of Commerce throughout the country, of which I find 44 were consulted, also declare against it. Of those 44, 20, in which the contractors were strongest, were against it, but with a small majority, while the other 24, belonging to large districts like Liverpool, Sheffield, and some other great provincial trading towns, declared without a single dissentient voice that the whole system ought to be open to competition, and that the hole-and-corner method ought to be done away with. Well, Sir, that is the first objection I put before the Committee. The next objection is that even if we were to have open competition in the future, if the Government persists in giving out the contracts on the enormous scale on which they are now offered, the result must necessarily be to shut out competition and to leave matters in the hands of a few millionaire contractors. We ought to have the contracts given out in such a way that the smaller tradesmen will be able to tender for them, and in that case they would be more taken up in the provinces of this country, as well as Scotland and Ireland, than is the case at the present moment. I will take one contract as a specimen of what is happening—the contract for the disused clothing of the Army, and I will only deal with the transactions which take place under the Director of Contracts. We know that there is a large quantity of disused clothing from the British Army and the military prisons; and I put it to the Committee, will it be believed that the quantity is so enormous that there are as many as 350 different descriptions of articles, one of these alone—blue tweed trousers—including as many as 420,000 items? Under the terms of the contract, except in the case of great coats, no one can send in a tender except for the whole lot. Is it not monstrous that the disused clothing of the Army should be sold in this way? Even if the clothing were ready to hand it would be monstrous, but what happens is that these things are actually sold three years ahead. Last June, in spite of the protest which I made, a contract was entered into at the instance of the Director of Contracts for the sale of the disused clothing of the Army three years in advance—that is to say, that things which had not even been issued to the Army were sold in advance on speculation as disused articles. Well, we know what the result of such a state of things must be, especially where, as in this case, the tenders are not open to general competition. I am not quite sure what happened last year, although I am told there was then no open competition; but to be quite sure I will state what happened in 1885, when I know that the tenders for even this large contract were not issued publicly, only three firms being selected to send in tenders. If the Director of Contracts is only a man of ordinary common sense I cannot conceive how such a system can be allowed to continue. Well, then, what is the result? Why, we know what the result is, because certain things are used in the Army and also in the Navy, and in the Navy a totally different system prevails, the Admiralty adopting an entirely different method of disposing of the cast-off clothing, at least as far as the Marines are concerned, for I do not know what is done with regard to the sailors' things. The cast-off clothing of the Marines is sold by public auction at Deptford, and the result is, that while the disused trousers of the Army, sold three years in advance, only fetched under the con-

tract system 9d. each pair, the trousers sold by auction at Deptford fetched 6s. 6d.; the red Jersey tunics of the Army sold at 6½d., while those sold at Deptford fetched 1s. 2d. and 1s. 11d.; Army leggings fetched 3d. by contract, and at Deptford the price for similar articles was 8d. I know that these figures are founded on fact, because I put them in the shape of a question to my Friend the Financial Secretary last year, and he stated that my figures were correct; but the answer given to these charges is that it does not appear that the things sold at Deptford have been so much worn as those sold by contract from the Army. Very well, we will now see to what extent the things were worn. I have received a number of letters on the subject, and most of them have come from my own constituents, so that in what I am about to quote I shall not be going very far afield. I will not trouble the Committee with the whole of them, but will select some from those who know and write to me personally. One letter says:—

"In reference to sale of Army stores I enclose you a catalogue which you may not have seen. I went about a set of uniforms for a band in my parish. The conclusion that my churchwarden and I came to was that the clothes had never been used at all. A tunic of the very best Melton, such as one's tailor would certainly not supply for less than about four guineas, was had, with all the rest of the equipment, for about 10s. 6d., and the dealer, of course, got one half of that."

From another correspondent I have a letter in which he says:—

"DEAR SIR,—The enclosed bill, if it could speak, would inform you that the 17 Lancer uniforms were made for a company subsequently ordered to Egypt or India (to be accurate I forget which). They were never so much as distributed to the men, but sold as old stores. When they arrived in Preston they had not a soil upon them, inside or out, but were, as the vendors had stated above, quite new and had never been on."

Now, I have here the bill for these things. It has the heading "Bought of John Langdon and Sons, Army Contractors." The items are: "17 Lancer uniforms at 10s. 6d.; 1 pair of trousers at 4s.; 17 forage caps at 1s. 11d." It will thus be seen that I do not depend on the people who get these things from the contractor; I go to the contractor himself who bought these things under his contract with the Director of Contracts. Well, what else do I find? I have a circular here from a firm at Norwich, "Messrs. Harmer and Co., Government Contractors." In this circular, speaking of the supply of disused overcoats of the British Army, they say:—"Out of the many thousands we receive some come to hand not much the worse for wear," and in their price list they have these figures:—

"Grey infantry coat 4s. 6d.; ditto, 5s. 6d.; ditto 7s. 6d.; ditto, with cape, 6s. 6d.; ditto, 8s.; blue artillery coats, 7s. 6d.; ditto, 8s. 6d.; blue cavalry and artillery coats with sleeves (lined thick serge), large and full, 6s. 6d.; ditto, 7s. 6d.; ditto, 8s. 6d."

Those are the prices for the clothing. Now, let us take the leggings. In Staffordshire a lot of these leggings were purchased for the volunteers at 9s. per dozen pairs from the contractor. I have here a letter from a man who sends me the advertisement with regard to the leggings. The writer says:—

"The enclosed is from last Saturday's *Staffordshire Advertiser*. Two years ago we thought of organizing a transport detachment. Captain Harper, since resigned and gone to Australia, attended a sale at Woolwich to buy waggons and harness. It happened that no waggons were sold, but plenty of harness was, and it was all secured by contractors owing to its being sold by weight *at so much a ton*."

That is the way in which they sell these things.

"Captain H. afterwards purchased what was required from the contractor. Wooden water bottles were being sold in large quantities, and Captain H. was informed that they were cut up for firewood. There was something similar about cavalry saddles, which I do not exactly remember. A number of buff leather pouches were sold, of which Captain H. purchased one lot of 2,000 for about £4, or ½d. each; 1,600 of these are now being worn by our 800 men, and are perfectly good."

It does not seem as if Mr. Nepean were quite an ideal Director of Contracts. Such is the way in which business is transacted in the War Office, and, mind you, at a time when we hear so much about Volunteer equipment. These things are being sold for a mere song, and the Volunteers are not allowed to tender for them. Again, take the case of the sponge contract. In 1881, certain sponges for the Army were put up for competition, and they fetched 2s. 3d. and 9d. In 1882, sponges were put up without competition at all, and they fetched 11d. and 6d., and at the reduced price the contract was actually given for six years. Not only that, but last year we were

told that the contract had been renewed at the same price. I should like to know for how many years it has been renewed. Furthermore, if there is one rule which ought to be laid down in connection with these contracts, it is that we should buy from the manufacturers, and not from middlemen. I will show how the Director of Contracts carries out his own rule. Take the case of socks and comforters, and things of that kind. Will it be believed that everyone of these things is bought from middlemen? I want to know where the middleman gets his profit, and where anyone else does, because I know that quite recently the man who makes the socks, and I believe the comforters, sent in two offers, one to the War Office, and the other to the middleman. The prices in both cases were exactly the same. The War Office rejected the direct tender, and gave the contract to the middleman. Where is the middleman to get his profit? He gets it somewhere, perhaps we shall be told where. I am told how some of it, at all events, is made. My informant, who is prepared to give his name, says that for years past the socks have been notoriously adulterated by the addition of water to the extent of eight ounces to every 2 lb. 12 oz. of heavy goods. Although Mr. Nepean's attention has been called to the fact, we cannot learn that any action has been taken in the matter. That, probably, is where the middleman's profit comes in. So little control does the Director of Contracts exercise in having the work done by the manufacturers, that he has been having some of the work done in French prisons. He did not know it, perhaps. Well, he ought to have known it, and ought to have taken steps to prevent it. It has come to the knowledge of the Sweating Committee that many of the accoutrements for the Army have been manufactured in French prisons, and the men who have got accoutrements thus made have since been given large orders by the War Office, and are making pelisses for the British Army at the present moment. If there is one crying evil in connection with the supply of accoutrements for the British Army, it is that it has been dependent so largely upon the abominable sweating system. If anyone in the country ought to see that sweating is not encouraged it is the War Office and the Admiralty and the Government Departments generally. It is true that now Mr. Nepean has laid down certain rules; but he ought to have laid them down years ago. He is not, however, very careful that these rules are always observed. One rule is that the workmen shall receive a fixed sum for the work done, but I should like to know whether the rule is being observed at the present time; how far Mr. Nepean really does exercise any check in the factories where work is being done. Another very proper direction is that the work shall be done in the factories and not given out to sub-contractors. But the rule is not universal. Mr. Nepean, strange to say, is not only Director of Contracts for the Army, but he has control of the contracts for the clothing of the police and Post Office servants, and in the cases of these contracts there is no stipulation that the goods should be manufactured in the factories and not given out to sub-contractors. Take another case. Finding that the sword and bayonet trade of this country had almost died out through a system of contracting which offered no encouragement to English manufacturers generally to compete, the Secretary of State for War did a very wise thing. The right hon. Gentleman was anxious that the trade should be revived, and very properly so, because if there are things which certainly ought to be manufactured in this country they are the swords and bayonets with which we will in case of war have to fight, and upon which the lives of our men will depend. The Secretary of State was even willing to pay a higher price for the goods in consideration of the fact that their manufacture remained in this country. But he had his sapient Director of Contracts at his back. One would have thought Mr. Nepean would have introduced a penalty in case any swords or bayonets were made out of England, but there was absolutely nothing of the sort. No precautions were taken to prevent the articles being made elsewhere, and there is evidence that if they were not actually finished in Germany one half of the work was done in that country. There is a good deal going on that the Director of Contracts says he does not know of, but which he ought to know of. Last year, a firm was struck off the list of

contractors pretty much at my instigation, for furnishing the British Army with accoutrements which, if we were now at war, might lead to a great disaster. You would have thought every possible precaution would have been taken that neither those men, nor anyone in any way connected with them, should tender for articles for the British Army for many years to come. But what has happened? Why, this very firm, under another name—and you have only to go to the Postal Directory to see that they are the same people—this firm, of Palmer and Ross, has received orders for the supply of Volunteer equipment. Surely one might have expected that the Volunteers would have been put on their guard. Then, again, I should like to know how many servants of Messrs. Ross and Company have been put on the list of Government contractors. A large contract has been given to a certain Colonel. I do not like these Colonels taking contracts, especially when they have no factories of their own. I can understand a Colonel who can fight, but not a manufacturing or a sweating Colonel. There was a contract given to a Colonel Slade for 1,000 valises. This patriotic Colonel—gallant and patriotic gentleman indeed!—directly risked the lives of our soldiers by putting the whole of this contract into the hands of this very firm of Ross and Company, and it is admitted it was carried out by this firm within a very few months after the time when they were struck off the list of Government contractors. That is a scandalous thing. Why did not Mr. Nepean insert in the contract a proviso that nothing of the sort should be done? It is said that Mr. Nepean did not know that the contract was put into the hands of this firm, but it was his duty to know. In putting out these contracts there should be a fair field and no favour. There ought to be fair competition, and it should not be possible even to suggest that the ideas of men who tender inventions to the War Office are borrowed or, rather, stolen by officials of the War Office. I am sorry to say, however, that in this case something very like that has happened. This Colonel Slade was not only a Colonel without a factory, but at the very time this contract was given him, he was in the War Office and a member of a most important Committee, the Small Arms Committee. I say it is a scandalous thing that contracts should be given out without competition to people who have no factories of their own. But this charge, bad as it is, does not end there. I have heard from an officer in Canada, who writes to me that he submitted the very equipment for which Colonel Slade has obtained this contract some six years ago before the Equipment Committee. It was commended, and this officer offered it to the country as a free gift. I do not know whether at that actual time Colonel Slade was a member of the Equipment Committee, because when I asked the right hon. Gentleman, the Secretary for War, a question on the subject, I did not get the answer I expected. Within a short time after this patent equipment was submitted to the Equipment Committee, Colonel Slade was a member of that Committee and must have had an opportunity of seeing it.

*MR. E. STANHOPE: I have stated most distinctly and as plainly as I can, that Colonel Slade was not then a member of the Equipment Committee.

MR. HANBURY: The right hon. Gentleman knows that very shortly afterwards, and for a long time, Colonel Slade was on that Equipment Committee.

*MR. E. STANHOPE: He was a member long before this and had ceased to be a member of it.

MR. HANBURY: When was he a Member of it?

*MR. STANHOPE: In 1886.

MR. HANBURY: According to this Canadian officer this patent equipment was submitted in 1882, and if Colonel Slade ceased to be a member of the Committee in 1886 then I am absolutely correct in my facts. I should like to ask my right hon. Friend whether it is not a fact that the man who was president of the Equipment Committee at the time that this valise equipment was submitted to it has since written to this officer to say that the patent of Colonel Slade's is practically a theft and is exactly the same as the equipment from Canada. Colonel Slade and Colonel Wallace are partners, and a contract for 1,000 valises has been given to the one and a contract for 16,000 to the other. Colonel Slade has admitted this in the *Times* in a letter replying to me, and I

have documents in my possession putting it beyond doubt that he was interested equally with Colonel Wallace in this large contract. How is this contract to be carried out by these Colonels? We are told they have a factory of their own. That, again, is a sham. How have they got it? In the first place even the wood benches were sent from Messrs. Ross; the leather and canvas were all brought from those discarded contractors; many of the workmen came from Messrs. Ross who were employed in making up those things; and the foreman who had charge of the whole came from Messrs. Ross. Indeed, a large portion of the work was actually done by Messrs. Ross until I called attention to the fact; and even the tools were borrowed from Messrs. Ross. The rejections which were sent from Woolwich were taken away in Messrs. Ross's carts; and these facts show what a farce it is for these two patriotic Colonels to take this contract. A man doing *bonâ fide* work does not jump from one district to another, but in the present case, within the past week Colonel Slade has changed his factory, going a little nearer to Messrs. Ross and Co. There is a further objection to the War Office being dodged and defeated by these officers. The great danger with all these accoutrements is that they will be passed into the Government stores in an ineffective condition. Bad things will be passed in as good. The articles made by Colonel Slade and Colonel Wallace, or rather by Messrs. Ross, are being sent to Woolwich, viewers are working there at the present time, who formerly were in the service of Messrs. Ross. What guarantee has the War Office, then, that bad articles will not be passed in—that rotten leather and hides will not be accepted? There has been no change in the system except this, that the men who deserve to be promoted have been kept down, and the men who have done the mischief been promoted. In connection with these valises I must say it is a marvellous thing that Mr. Nepean should have given the order to Colonel Slade at all. Here is the cartridge box supplied by him [*exhibiting article to the Committee*], which is about the most clumsy thing of the kind I ever had in my hand. It is made of buff leather, and will, therefore, require pipe-claying. The soldier will be able to pipe-clay it in time of peace, but when he goes to war he will be unable to procure pipe-clay, and the thing will dry and crack, and become useless. It is to enable the soldier to carry 70 rounds of ammunition, but it will be necessary for the soldier to go out of action six times in order to fire these 70 rounds. The cartridges are liable to fall out, and at least two will catch the rain. The Committee may be told that Colonel Slade and the other contractors get no money from the contract. That may be so, but the contracts are obtained for another reason. If they do not obtain money from the War Office they do from other sources, from the Volunteers, for instance; but even to be put on the list of contractors is a great advantage to these men. These are important matters of administration which I have thought it desirable to bring before the Committee; and I ask my right hon. Friend that in future, whatever may be the merits or the demerits of the present Director of Contracts, at any rate the House of Commons shall be afforded an opportunity of keeping a little stricter watch over these contracts than it has up to the present. In order to keep a check both on the contractors and the Director of Contracts in future, will the right hon. Gentleman do two things? Will he lay down as an imperative rule that the Director of Contracts shall not interfere with the viewing of the articles for which he has contracted? It is absolutely essential in the public interest that the man who gives out the contract shall not have the opportunity of favouring the contractor by superseding the viewers. One other remedy I would suggest. The Government has taken the wise step with regard to some of their Departments in punishing men who disclose public information. Will they next Session bring in a Bill to punish severely contractors who send in the viewers who let in the bad goods? If they are prepared to do this it will not be necessary to criticize the negligent, and worse than negligent system, which has prevailed in the past, nor to discuss the conduct of Mr. Nepean and the contractors. I hope I shall be saved the necessity of taking a Vote on this matter by receiving a full and complete explanation. Unless I receive that I

hall have to carry this reduction to a division.

Motion made, and Question proposed, "That Item A, Salaries, &c., be reduced by £100, part of the Salary of the Director of Contracts."—(*Mr. Hanbury.*)

MR. E. STANHOPE: It is unnecessary on the part of my hon. Friend to deprecate the notion that he is making an attack on me personally or on the Director of Contracts. For the last two years all the scourings of the public offices, every "tout" in every factory, has been quoted or brought to the hon. Member for the purpose of making attacks on me. I do not complain of it so far as the public interest is concerned. If the hon. Member likes to make personal attacks, all I have to say is, that I have lived through a good many of them, and if I and my hon. Friend remain Members of the House in the years to come, I shall probably have to live through very many more such attacks. The hon Gentleman says that he will be exceedingly glad to furnish me with all the facts he has quoted in order that I may look into them, but he did not communicate one of them before he began his attack, so that I might look into the facts and give that explanation to the House which is desirable.

MR. HANBURY: Nearly every case I have referred to has arisen out of question and answer in the House.

MR. E. STANHOPE: That is not the case. It is perfectly clear, however, that the main attack in this matter is made not so much on myself as on the Director of Contracts; and if I fail to give an explanation on every point of the attack made on that official, it must be understood that it is only because I am not able to carry in my head all the facts pertaining to every one of these contracts. Therefore, it must not be held that I am not able to give, had I the opportunity of looking into the facts, a complete answer to every point raised. Who is Mr. Nepean? He is one of the most able and devoted public servants in this country. What has been his position? Mr. Nepean has had his conduct inquired into by inquiry after inquiry. It has been investigated by Sir James Fitzstephen's inquiry, by Lord Morley's Committee, and by the Judge Advocate General. From every one of those inquiries, which examined his conduct in minutest detail, Mr. Nepean has come without a single word being said against him. All those under whom he has served, who include right hon. Gentlemen opposite, myself, and every one who has of late years held the office of Secretary of State for War, agree that Mr. Nepean is thoroughly above any suspicion such as the hon. Member has ventured to cast upon him, and that the attack made by the hon. Member is one which merits the most complete condemnation that can be given to it. I hope the Committee will forgive me for speaking warmly about the matter; but we have just been speaking about the position of public servants. They cannot defend themselves, and the only place where they have a chance of being defended is in this House. The hon. Member has said he made no attack, but the charge he put forward was nothing more or less than one of corruption on the part of the contractors.

MR. HANBURY: No.

MR. E. STANHOPE: Well, what the hon. Gentleman has said is an attack upon the contractors as far as it goes, and simply amounts to neither more nor less than a charge of corruption. Under these circumstances, I think the Committee will understand that if I speak with some warmth on the subject it is because I have good grounds for so doing. I now come to the discussion of the details of the charges brought by the hon. Gentleman against Mr. Nepean and others. The hon. Member began by complaining that I had excluded the Comptroller and Auditor General from examining into certain matters; but I would ask, does the Committee really want the Comptroller and Auditor General to exercise any influence on the administration of a public department? The only matter which I prevented the Comptroller and Auditor General from examining into was when he attempted to interfere with the administration of the Department. For instance, the other day the Comptroller and Auditor General actually complained of the reserve of grain at Malta. If ever there was a matter on which a Government Department must take responsibility and exercise its own judgment in view of possible contingencies, surely it is such a question as the reserve of grain at Malta. The hon. Member also complained that the prices at which tenders were accepted

were not made public. There was a Committee to inquire into that, and the Department has consulted Chambers of Commerce and every one whose opinion is worth having, and the great preponderance of opinion has been conclusive that it would be very undesirable indeed that the prices should be made public. The hon. Member then contended that all competition should be open. That question was inquired into very closely by Lord Morley's Committee, and having examined the matter in full detail, the Committee reported——

COLONEL NOLAN: Not unanimously.

MR. E. STANHOPE: I am aware that the hon. and gallant Member expressed his individual dissent from that Report; but the majority of the Committee came to the conclusion, as any sensible man would have done—I beg the hon. and gallant Member's pardon, and withdraw that expression—as I thought most men who heard the evidence would have done, that it was impossible to proceed solely upon a system of open competition, but that the War Office must have in many instances limited competition. Sweating is one of the greatest difficulties the Government Departments have to contend against, and we must so allot our contracts as to take care that sweating shall not be promoted. That we have endeavoured to do to the utmost of our power, and I believe the securities we have taken will prevent any work from the War Office being put out on sweating contracts. Many of the articles we have to order are of a very special character, such as few firms in the country are capable of producing—for instance, big guns. We have to see also that there is a reasonable certainty that the things ordered will be delivered at the time and of the quality stipulated for. It is utterly impossible for us to accept without qualification the principle of open contract; but, so far as I myself am concerned, I shall endeavour to accept that principle to the utmost of my power. The disused clothes contract raises a question of very great difficulty. We had put that matter out to contract the other day, and we found there were hardly any persons who would tender for the work the contractor is expected to do. The contractor has to gather up from all the different barracks and stations throughout the world bits of clothing and accoutrements which have been discarded by the troops. On the other hand, do the Committee think it would be desirable to break the contract up with regard to the different articles, and so have to deal with a host of contractors coming into different depôt and barrack towns to carry away the disused goods? In our opinion, we shall get just as much money and more advantage by putting it out to one contractor. I believe the present system of selling disused clothing is a most advantageous one to the country. The hon. Member has quoted to the Committee the case of a sponge contract obtained in 1881 and 1882, and then continued for six years. That was not for the sale but for the purchase of sponges. But what were the prices? The rates in 1881 were 2s. 3d., and in 1882 they were 11d. and 6d. The Department thought the latter terms so exceedingly favourable that they took a contract for six years. My hon. Friend has suggested that certain stocks were filled with water.

MR. HANBURY: I said loaded with water.

MR. E. STANHOPE: Well, my hon. Friend suggested that certain socks were increased in weight through being loaded with water. I altogether deny that. The hon. Member then dealt with the case of Messrs. Ross. But before the hon. Member brought forward his Motion, I had struck Messrs. Ross off the list of contractors for the War Office, and given notice to the other Departments that I had done so. Since then I have never in any way employed Messrs. Ross. The hon. Member said the Volunteers had gone to Messrs. Ross because I had not given the Volunteers notice that Messrs. Ross had been struck off the list of contractors. I should have thought that between my hon. Friend and myself every Volunteer in the country must have known that Messrs. Ross were no longer contractors to the War Office. I do not think either the hon. Member or the House understand the extraordinary difficulties that exist in the way of the War Office in getting valises. I have had very seriously to consider whether we should not ourselves have to manufacture those leather goods in manufactories of our own, although I hate increasing Government factories. I will now

deal with the last case put forward by the hon. Gentleman. The hon. Member has tried to transfer to this House the little quarrel he had with Colonel Slade in the columns of the *Times*. I have no desire to interfere in that very petty quarrel, as far as I am concerned. Colonel Slade ceased to be a member of the Equipment Committee long before the valises in question were submitted to it. The hon. Member complained that Colonel Slade was still a member of the Small Arms Committee, which had nothing whatever to do with the Equipment Committee. The hon. Member contended that because Colonel Slade had recommended a valise which the Military Authorities thought a very good one, therefore he was not to be allowed to serve afterwards in any public capacity. Now, Sir, Colonel Slade has written to the *Times* that he has not received any profit whatever for the supply of the valises.

MR. HANBURY: He said his own contract—the first thousand.

MR. STANHOPE: For his own contract. The contract has now been authorized to Colonel Wallace through Colonel Slade. And I am bound to say that when we gave out these contracts there was very grave doubt whether we would be able to supply the Army at all with this very useful valise, which we desired to obtain at as early a date as possible. My hon. Friend, in concluding, urged that the Director of Contracts should not do any viewing; but no doubt he has sometimes to look and ascertain whether the goods supplied by the contractors are such as should enter the Service. The hon. Member also says that there should be means of punishing the contractors and viewers when necessary. I quite agree that contractors who behave in a fraudulent manner should be punished, and they are punished very severely indeed by being struck off the list of Government contractors, and losing all the trade that would come to them. There is a further punishment, which is very often inflicted on the contractor—namely, the return of all the goods upon his hands, and he has to get rid of them as best he can. I think I have dealt with all the points raised by the hon. Member, and I hope the House will now pass this Vote reserving any further questions, after this protracted discussion, until Report.

MR. HANBURY: The sponges bought by competition were 11d. and 6d. Those bought in the next year, without competition, were 2s. 3d. and 9d.

MR. E. STANHOPE: I decline altogether to accept those amounts.

COLONEL NOLAN: I do not think we should hurry through a Vote of this amount, much as we should like to meet the right hon. Gentleman. This Vote refers to contracts for clothing and accoutrements to a large amount, and I do not think the Secretary of State would be desirous that we should take the chance of dealing with these matters on Report. There is one point we must discuss—the system of putting contracts to open competition; and the Motion to reduce the salary of the Director of Contracts by £100 does not reflect upon him personally in the slightest degree, but is directed to the present system of giving contracts.

It being ten minutes to Seven of the clock, the Chairman left the Chair to make his report to the House.

Resolutions to be reported upon Monday next; Committee also report Progress; to sit again this day.

TELEGRAPHS (ISLE OF MAN) BILL.

Read the third time, and passed.

CONSOLIDATED FUND (No. 3) BILL.

(No. 273.)

Read a second time, and committed for Monday.

INDECENT ADVERTISEMENTS BILL

[*Lords*].

Read the first time; to be read a second time upon Tuesday next, and to be printed. [Bill 284.]

UNIVERSITIES (SCOTLAND) [GRANT, &C.]

Committee to consider of authorising a Grant out of the Consolidated Fund to the Scottish University Commissioners, to be applied for the purposes of the Universities under any Act of the present Session for the better Administration and Endowment of the Universities of Scotland; and also the payment, out of moneys to be provided by Parliament, of remuneration to the secretary, clerks, and officers appointed, and of all expenses incurred under the provisions of the said Act (Queen's recommendation signified), upon Monday next.

SUPPLY.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

EVICTIONS IN IRELAND.

*MR. J. E. ELLIS (Nottingham, Rushcliffe): Mr. Speaker, in rising to move the Motion which stands in my name, I, with all sincerity, ask the indulgence of the House. The chances of the ballot have placed this matter in my hands; but, knowing how it affects the welfare of so many fellow-subjects, I should have hesitated to have proceeded with it were I not well aware that any imperfections on my part will be compensated for by the hon. Member for Scarborough (Mr. Rowntree), who will second the Motion, and by other hon. Members who will speak in support of it. The House has always shown itself ready and willing to discuss the matter of Irish evictions; and, recollecting that, I cannot help expressing regret that at this moment, save for the presence of the Chief Secretary and the Solicitor General for Ireland, the Ministerialist Benches are absolutely empty. The great Unionist Party are constantly assuring us that the House will give Irish questions a candid and earnest treatment, but, as a matter of fact, what we see to-night; empty Conservative Benches are the usual response when Irish subjects are brought forward. I was saying that this subject has always received the willing attention of the House of Commons. I might make good that observation by many references to past debates in the House, but I will only make one. On the 29th April, 1856, in the very middle of a debate which was then proceeding, attention was called to the evictions on the Pollak Estate, which resulted in the whole clearance of that great fertile triangle between Athenry, Ballinasloe, and Portumna. In the debate which was proceeding, the fate of the then Government was challenged; but the leaders of both sides of the House, Lord Palmerston and Mr. Disraeli, expressed themselves perfectly satisfied with the conduct of the Irish Members who called attention to the evictions. Those statesmen acknowledged that the subject was one which might well be intruded on an occasion of that kind. At all times there are special causes for watchfulness in regard to these evictions. As has been pointed out by the right hon. Member for Mid Lothian, the House has made the power of ejectment so swift and cheap on the other side of the Channel that evictions have been excessive in number to a degree almost incredible. The Irish landlord, who has spent nothing to create the rental value of his property, has for many years had in his hands a power which is unknown on this side of the Channel, and which has never been asked for by the landlords of England, Scotland, and Wales, who, as we all know, have done so much to increase the rental value of their property. What use has been made of this power? During the first 12 months of the life of the present Government—from July 1st, 1886, to June 30th, 1887—there were 23,585 persons in Ireland turned out of house and home. It will be answered, no doubt, by the Chief Secretary that many of them were reinstated as caretakers; but the position of a caretaker is like that of a man who is struggling for life on a raft at sea. If his career be followed he will very shortly after be found disappearing in the back streets of a great city, either here or across the Atlantic. In 1888 the procedure was somewhat altered under the 7th section of the Land Act of 1887, which was a truly deadly weapon, forged by the Unionist majority of this House and made ample use of. No fewer than 10,752 tenants received notices under that clause during 1888, and that number were deprived, so far as that clause could deprive them, of their property in their holdings. My Resolution contains three declarations and one proposal. It puts humanity in the forefront. It asserts the just rights of property, points to the insufficiency of existing Land Acts, and asks for a competent, impartial, and conclusive arbitration or award between the two parties. I do not intend to dwell long upon the point of humanity. The country has been horrified many times at the stories of the brutality resorted to at evictions in Ireland. The country, too, is well aware of the distress of large numbers of the poor people who are evicted.

I will gladly concede, for the purpose of the debate, that all Members are equally desirous of putting an end to those painful scenes; and I will pass at once to what I confess is my main point, and that is what I conceive to be a defence of the just rights of property. It is in the interests of property I make this Motion; and the question I raise is, to whom does the property really belong? Property, I admit, is, and always must be, one of the elements of civilization, and the man who tampers with the rights of property is no friend to his country. On the other hand, the rights of property must be consistent with the rights of humanity, and any right which is not will be admitted by hon. Gentlemen opposite to be doomed in the present state of our civilization. Well, now, what is the case that is always presented in this matter? The Government and their supporters tell us that the persons who are evicted are men who are fraudulently withholding sums they have agreed to pay for the use of certain property. I shall present the matter thus, and I think it is a more correct description. We have in this Irish agrarian matter two parties struggling as to the amount of their respective shares in a certain kind of property of which they are joint owners; and the first thing the State has to do before it lends its aid to either side to, in any way, hurt the other, is to afford to both a perfectly competent and impartial and conclusive arbitrament as to their respective rights. Until that has been done the forces of the Crown ought not to be lent to either side. Let us see how this property which the landlords claim has been mainly created. The Member for South Huntingdonshire, to whose action in regard to certain evictions I am about to allude pretty closely, will not controvert the proposition that the rental value of the landed property in Ireland has been mainly created by the toil of the tenants. That has been laid down conclusively by the Devon, the Richmond, and the Bessborough Commissions. It was stated by Earl Cowper, the President of another Commission, in April, 1887, in his place in the House of Lords. The common use of the expression "dual ownership" admits the whole case. The Chief Secretary for Ireland is constantly telling us that the Act of 1881 was the greatest possible mistake; but it is admitted that there is a dual ownership in this property. I do not see the landlords' emergency man, the Member for South Tyrone (Mr. T. W. Russell), in his place; but even he will probably admit that the Land Act of 1881 created no rights for the tenants at all, but merely recognized the equitable rights he had before. Now, does this Act furnish us with any indication as to whether the landlords have been claiming too much of this property? Under that Act, up to August of last year, an aggregate rental of £3,851,891 has been reduced to £3,093,807, or a reduction of something like 20 per cent, during the seven years of the existence of the Land Courts; in other words, the Commissioners have officially declared that the landlords have been exacting £5 where they ought to have been exacting only £4. The earlier reductions in the rents were nothing to the later ones. The average reductions during the last two years have been 30 and 31 per cent., but there are many individual cases in which the reductions have amounted to 50, 60, and even 70 per cent of the rents charged. Therefore, judging from the decisions of Land Courts, it is quite clear that the landlords have been appropriating to themselves too large a share of this property. But further, I entirely and absolutely deny that in the majority of cases in which the people have been, or are being, evicted the people have made any agreement whatever to pay the rents sought to be exacted. The very essence of the validity of a contract is freedom to enter into it on both sides. In the words of the Report of the Bessborough Commission, "freedom of contract in the case of the majority of the Irish tenants, large and small, does not exist." I think, then, I have given some good grounds for the opinion that the just rights of property are being grievously imperilled by recent events in Ireland, where there have been going on, under the guise of law, proceedings which amount to neither more nor less than confiscation of the rights of property. But in these matters actual facts are the strongest arguments. Hon. Members will have seen in the papers of the last few days mention of an estate in the south of Ireland of which during the last two or three years we have heard

a great deal. I refer to the Ponsonby estate in County Cork. The area of the estate is between 9,000 and 10,000 acres. The character of the soil is more or less good; perhaps it is not the very best, but still it is a very good average specimen of an agricultural estate situated on the old red sandstone and mountain limestone. I spent considerable time last week on the property, conversed with a large number of tenants, and, in fact, did my best to make myself thoroughly familiar with the nature of these Irish holdings. I will give a few facts and figures with regard to the persons who have been, and are being, evicted on this property. It will be admitted by those who know the facts that this landlord has spent nothing in improving the tenants' holdings. He has borrowed money, and improved his own demesne, but he has not done what an English landlord would do to help his tenants. Here and there he has granted a loan for drainage purposes; but, speaking broadly, the whole value of the holding has been created by the toil of the tenants. There is a man named James Mahony, whose valuation was £42, and rental £63 15s. The improvements he made on his holding cost £300. There is Catherine Mahony, a widow, whose rental was £66, and who, with her husband, spent £668 in improving the holding. There is John Flynn, whose valuation was £68 15s., and rental £97, and who spent in a very few years £300 in improvements. There is Peter M'Donough, whose rental was £64, and who, with his father, spent, upon an embankment to keep the tide off his land, £300. There is Callaghan Flavan, whose valuation was £66, rental £104, and who spent £500 in improvements. Maurice Doyle's valuation was £258, rental £370, cost of improvements £600. Martin Loughlin's rental was £93; cost of improvements, as certified by Land Court in 1882, £800; and William Forrest spent £793 in improvements. All these are cases, as the House will see, not of poverty-stricken tenants, but of persons who I am free to admit might, or probably could, pay the rents they were asked to pay. All the tenants hold over a £50 rent, and therefore the Chief Secretary will not be able to say, "Why not appeal under Clause 30 for a stay of eviction." They all hold under forced leases. Directly the Act of 1870 was passed, the Irish landlords set themselves the task of creating leases with cunning covenants, which largely paralysed the operations of the Act. These tenants largely hold under leases at higher rents than they did previously, leases which are as usual so worded as to deprive them not only of many of the benefits of the Act of 1870 but of many of the benefits of the Act of 1881, and in that way to forestall any good or advantage the Legislature may possibly in the future convey to the Irish tenants. There has been going on, and there is going on this week, on the Ponsonby estate, what I do not hesitate to describe as sheer and downright robbery of property. I will not go through the history of the years 1887 and 1888, because it seems to me rather ancient history now; but at the end of January last, after some weeks or months of negotiations carried on on behalf of the landlord by Mr. Brunker, and on behalf of the tenants by Canon Keller, who I must confess has proved himself to be a most faithful friend of the tenants, this point was reached—that Canon Keller agreed to give for the property £104,000 at the end of January, and both the parties believed that they were at the end of a most unhappy struggle. Then there appeared on the scene the hon. Member for South Huntingdon (Mr. Smith Barry). He is, I believe, a landlord in the County of Cork who had his rents largely reduced in 1882 by the Land Courts. In the month of February last he announced at a dinner, or some meeting in Cork, that he could say that Mr. Ponsonby would never settle with his tenants. The attention of Mr. Brunker was at once drawn to this remark, and the reply sent by him was as follows:—

"18, Grafton Street, Dublin,
Feb. 20th, 1889.

"My dear Sir,—I do not lose a moment in setting myself and Mr. Ponsonby right with you as to the matter referred to in yours of yesterday. My attention was called to Mr. Smith Barry's remarks, and I immediately expressed to Mr. Ponsonby my annoyance that such untimely language should have been used. That language is in no way authorized by Mr. Ponsonby, otherwise I would first have been relieved of any part of these negotiations. This is one and about the least of the inconveniences arising from the long delay against which I have repeatedly protested. Unless I receive final instructions before the close of this week,

I must withdraw from what I had hoped would be a successful and useful work, and this I have formally communicated. I still hope, however, that our labours will not have been in vain.—I remain, dear Sir, truly yours,

J. E. BRUNKER.

Rev. D. Canon Keller, P.P."

The very next day Mr. Brunker wrote to say that he had heard from Mr. Ponsonby or his agent that all negotiations were at an end. During March and April certain correspondence appeared in the Cork papers respecting the part the hon. Member for South Huntingdon was playing in the matter. Mr. Townsend, the agent of the syndicate with which the hon. Member is associated, and of which he told his constituents he was chairman, admitted that he had told the hon. Member he was a "foolish man" for the course he was taking in the matter. The upshot of the matter is that when these tenants were on the eve of completing a very satisfactory arrangement to both parties, the hon. Member for South Huntingdon by means of capital he had raised over here, and by means of the syndicate of which he is the head, put a stop to the negotiations in order that the estate might be cleared for the syndicate. Unless the hon. Member is able to put a very different complexion on the matter, it does seem to me an extraordinary thing for an English gentleman or an Irish gentleman to interfere in a matter of this kind for the purpose, which the hon. Member has avowed, of wreaking vengeance on tenants, or of "teaching them a lesson;" which is the expression used in the paper reporting the hon. Member's speech to his constituents. Some of the incidents of these evictions are remarkable, and will have to be further inquired into. The day before yesterday I received a letter from Canon Keller, in which he says:—

"At this place three young girls were arrested (who had been in the evicted house)—pure, innocent creatures. While under arrest Colonel Caddell and some of his police and also a strange gentleman, said to be a *Times* reporter, addressed those girls in licentious language."

I want to know whether the forces of the Crown are to be employed in Ireland to draw a ring round these unhappy people that they shall be exposed to all sorts of insults without anyone being allowed to see what takes place? I think the country will require a good deal of explanation on that point. I only wish the right hon. Gentleman the Chief Secretary would go there himself, instead of taking his facts from Colonel Caddell and these police, who, I do not hesitate to say, furnish him with mendacious reports. As to the precise terms offered during these negotiations on either side I will not speak. The figures I am about to give speak volumes as to the rental of the holdings. I find that in four cases Griffith's valuation and the rental are respectively £42 and £63, £68 and £97, £66 and £104, £258 and £370, the total of the four being valuation £434, rental £634. The valuation includes the letting value of the improvements of the tenants, and, therefore, the rental certainly ought to be less than the valuation, unless the tenant is charged rental on his own improvements. I think, therefore, I have made good my contention as to the rights of property. I now pass to the third declaration of the Resolution, respecting the inefficiency of the Land Acts. If I wanted any proof of that assertion I should find it in the fact that there are, or have been, no less than seven Bills before this House, several of them proceeding from Gentlemen opposite, amending or extending the privileges conferred by the existing Irish Land Acts. Even the Government announced in the Queen's Speech their intention to deal with the matter. The reasons for this state of things are to be found in the state of the law, in the advantage the landlords take of that state of the law and in the imperfect character of the tribunals created by the Act of 1881. In reply to the question, "Why do not you appeal to the Courts?" I say there are a large number of specific exceptions to the Act of 1881, arising from pasturage, meadow land, from tenancies which have come into existence since the Act was passed, from leaseholders' covenants, and other incidents of tenure. Above all, there is the question of arrears. It appears from the returns of the Courts that of those who apply to have a fair rent fixed about 14 per cent are dismissed or struck out as being outside the Act of 1881. I dwell rather, however, upon the use made by the Irish landlords of the technicalities of the law. The law is difficult and expensive, and to a man who has not a long purse

it is a very difficult operation to secure justice. There was a curious case from the North of Ireland. A man named O'Neil had covenanted not to apply for compensation, and it was held by the Court that that covenant enabled the landlord to rent him upon his improvements. Why, I ask, should there be any distinction drawn between Ireland and Scotland in regard to arrears? Up to the 31st of December, 1888, no less than nearly 70 per cent of the arrears were wiped off as bad debts in Scotland. Why cannot we have such an operation carried out in Ireland? There is also the case of the hanging gale which needs to be dealt with. One of the tenants on the Ponsonby estate had paid a year's rent every one of the 30 odd years he was on the property, and had this hanging gale brought forward to aid in his evictions. Then take the case of new holdings since August, 1881. I have investigated a case of that kind in which a strengthening of fences by the tenant with the concurrence of the landlord's agent having brought about a slight alteration of boundary was held to have turned the holding into a new holding. The only way to get at the truth in these matters is to visit the country itself. There were some words spoken in this House by a Member to whom I well remember having listened to years ago from the Strangers' Gallery long before I was myself in this House, and who never spoke or wrote without saying or writing something worth noting. I refer to Sir George Cornewall Lewis. He said:—

"To discover what the liberty of a people is one must live among them, and not look for it among the Statutes of the realm. The language of the written law may be that of liberty, but the situation of the poor may speak no language but that of slavery."

And he added:—

"There is too much of this contradiction in Ireland."

That is as true in 1887 as it was in 1852. And now, in conclusion, I may be asked what I mean by the proposal with which my Resolution concludes. Well, I am a young Parliamentary hand; but I have learnt that while it lies with us on this side of the House to point out defects in the law, it is for those on the other side who control the votes of this House and the forces of the Crown to remedy those defects. I do not mean to convey by the use of the word "arbitration" any sign of blenching or of weakness on the part of the Irish tenants. I do not mean that a Court should be set to work here and there, in an isolated manner; but that there should be some comprehensive scheme, under which you would be certain before sending the forces of the Crown to aid any landlord in evicting his tenants that that tenant has had a fair field and no favour, and that the rights of the matter had been fairly settled between the two. I now formally beg to move the Resolution which stands in my name, in the confidence that it indicates a policy which if it were adopted would bring peace and happiness to many an Irish heart, that it would remove a just reproach from the Government of that country, and tend to promote that social order which we all agree is essential to national prosperity.

MR. ROWNTREE (Scarborough): In seconding this Resolution I am satisfied that there must be many hon. Members on the other side of the House who would be just as earnest as Members on these benches in their endeavours to remove a great injustice in Ireland if they had personal knowledge of the suffering which exists among the tenants, and not simply hearsay evidence as to the state of the country, and if Ireland had not so long been the battle-ground for the rise and fall of British Ministries. Every one must acknowledge that it is very difficult to legislate wisely and well for any class when we have personally but little knowledge of the class to whom the legislation will apply. This difficulty is surely amazingly increased when we come to deal with the tenants of Ireland. I think hon. Members who have looked into this matter must admit that the distance of space is nothing at all as compared with the great distance between the ordinary conditions of life in Ireland and England. We are continually judging of the standard of action in Ireland by a standard brought about by a wholly different condition of things in England. Occurrences in Ireland are continually regarded in this House as improbable and exagerated, although to the people of Ireland they are terribly real and of constant occurrence. I wish hon. Members had read a letter from Judge

Curran published in the *Dublin Daily Express* of Tuesday last, and which shows that the County Court Judge is now administering with extraordinary pains the business on the civil side of his Court in order that business may be kept down on the criminal side. It shows, too, that there is extreme difficulty in doing justice to the two parties under the existing law. It shows that the necessity of adding arrears to the present rent whenever a tenant comes for a stay of eviction is simply a means of increasing the rental which it is quite possible the tenant is at present barely able to meet. It goes on to say that under the present law, no matter how punctual the tenants may be in paying the accruing rent, the non-payment of one of the gales after the lapse of six months gives the landlord the right to the land without any equity of redemption. It shows also that at a Court held only the other day a tenant who applied for a stay of eviction had had to walk 40 miles to do so, although the proceedings might have been taken in a Court nearer the homes of the tenants. It shows, too, that the Judge was compelled to send the tenant back for an immediate instalment of rent, so that he had to go 84 miles on foot. It shows that in the majority of cases brought before him this session the balance of arrears has largely accrued during the bad years of the present decade, and that one year's rent, for the arrears in respect of which the tenant had to make his weary journey of 84 miles on foot, dated back to the famine years of 1843 and 1847. In the book published at the end of last year, by Judge O'Connor Morris, it is definitely stated that the Land Acts have been, in their general features, very imperfect, that they are too tentative, too complex, and far too costly in their administration. Many Members of the House seem to have forgotten the Constitutional principle that the voice of the people should be listened to in this House through the Representatives they have sent here, and hon. Members are asked to accept instead of the voice of the Irish people the police news of the Irish Executive. There are many hon. Members in this House who could give case after case, and illustration after illustration, confirming the views of these two County Court Judges of Cork and Roscommon. They could refer to numbers of poor tenants who have been toiling all their lives to do the best for themselves and those who belong to them and who have found it hopeless to think of appealing to the Land Court because of the arrears. I think the strongest indication of the necessity for some remedy of the existing state of things between landlord and tenant is to be obtained, not from the tenants, but from the landlords. I had a conversation with a landlord, who said it would have been a terrible thing if all the tenants on his estate had gone into the Land Court and taken advantage of the Act of Parliament passed for their protection. The tenantry there are poor and ignorant, and the ownership of the seaweed, the turbary, and the mountain grazing is in the landlord.

COLONEL SAUNDERSON (Armagh, N.): Will the hon. Member give the name of that estate?

MR. SEXTON (Belfast, W.): The Kenmare estate.

MR. ROWNTREE: No, it is not the Kenmare estate. I shall be happy to communicate the name of the estate to the hon. and gallant Member. I could give statements from my own knowledge as to the condition of things in Donegal which would show conclusively that the Land Act is no protection to individual tenants, and that their only salvation is in combination. When it is said that tenants threatened with eviction can apply for a stay of proceedings it should be borne in mind that the Judges have only felt themselves able to take a most restricted view of their powers in that respect. The Government—as was argued by the hon. Member for South Kilkenny before the Easter Recess—should give some attention to the question of the cost of the peculiar procedure under the Act of 1887, which amounts to £9 for the plaintiff, and £5 for the defendant, both of which the plaintiff has to pay. The attention of the Solicitor General for Ireland was drawn to this matter, and he promised to consider it, but on his return after Easter he said the Government did not see their way to altering the procedure. Still, he made no complaint that the facts had been over-stated. I maintain that the tenants of Donegal are incapable of paying such costs. In yesterday's papers,

side by side with news dealing with Ascot races, which was set out in large type, I saw 10 lines of information which, though only printed in small type, appeared to me to be of great importance. It was stated that nine evictions had been carried out on the previous day in the Portumna district of the Clanricarde estate, and so secretly had the arrangements been made that what was about to take place was unknown in the neighbourhood. It was further stated, however, that two persons had been seriously injured, one with a bayonet thrust, and the other with the stroke of a rifle. Everyone knows the land war has been raging in that district for the last four years. I will not go into the controversial question as to the cause of this, but this much I think has been admitted and will not be disputed from any quarter of the House —namely, that the land agent, Mr. Joyce, had on the spot advertised a small reduction of rent when the great fall in prices came on. He admitted that the bad feeling which ensued arose in consequence of Lord Clanricarde's refusal to act on this advice. This war has been going on, I say, for four years, and if the tenants have not been paying rent for the past four years in Woodford they have been paying something which comes to very near the amount of a rent, in the shape of an enormous county cess, and an enormous poor rate. It is said that the Clanricarde tenants cannot be suffering from poverty and inability to pay their rents, as the money deposited locally in the savings banks has increased. Well, I am prepared to assert that there are not half-a-dozen tenants on the Clanricarde estate who have accounts in the Post Office Savings Bank, and in the only other bank at Woodford the deposits in the name of the Clanricarde tenants have decreased by one half during the past two years. It is true there has been a decided increase in the amount of the deposits in the Post Office Savings Bank at Woodford, but that is not at all to be wondered at, seeing that there are some 60 constables in the district drawing excellent pay and some 20 emergency men. I believe that not only do the surplus wages of these men go into the Post Office Bank, but that when the men are removed from one district to another they have the power—and they exercise it—of transferring their account to the new district. There is a new state of things on that estate, as Father Costello, a priest who was not implicated in the previous transactions, is now at Woodford and most anxious to settle the existing disputes, while at Portumna the tenants, as is perfectly well known, have placed their case in Bishop Healy's hands, Bishop Healy being an ecclesiastic who takes a most Conservative side in this struggle, and has for years past been anxious to bring about a settlement. But in Woodford alone 36 tenants have already been put out, and 147 persons from that place have suffered imprisonment from one cause or another. Even if the Woodford tenants have sinned, as we have been told they have, they have at all events been punished to an extent that I should think would afford satisfaction to the most rigid disciplinarian. I have seen the letters which have passed on behalf of the tenants, and I am sure no one that sees them—not even hon. Gentlemen opposite—can think them other than moderate and reasonable. Apparently, however, the answer is the nine evictions I have spoken of. I ask hon. Members to consider whether this warfare is really to be pressed to the bitter end. A fortnight ago to-day I was in the house of one of the tenants under notice to quit, and in conversation with this tenant he told me the history of the tenancy of his family since his grandfather first settled there on the moors. It appears that this man, John McDermot, voted at one election for Captain Nolan, as he then was, and within a week an increase of rent was demanded of him by Lord Clanricarde's agent. And this was not a solitary case, for every one of the tenants on Lord Clanricarde's estate who were yearly tenants and voted for Captain Nolan at that election had their rents raised in consequence. The fine inflicted upon this tenantry for an act which, as orderly citizens, they were perfectly at liberty to perform, was an extremely heavy one. This house that I was in was such as would have done credit to any tenant in Ireland. Whilst I was talking to the tenant, the agent of Lord Clanricarde came into the yard with his guard of constables, and demanded possession from the tenant. It is hardly necessary

to say that when this happened some hot expressions fell from one of the inmates of the house, but one of the daughters at once used a quotation which is familiar to every Member of this House. She said, "We know well force is no remedy." Well, I want to submit this to the House. I believe the tenants there and in other parts of Ireland have learnt that lesson. I wish the English people had learnt it as well. If it is true that we have from the very force of public opinion in England acting on that condition of things in Ireland, happily disarmed the Irish peasantry of the old bad weapons which seemed alone their only miserable refuge in the past, it appears to me there is a very heavy additional responsibility resting on the Members of this House, and on all Englishmen at large. Are we to stand aside idle whilst these people are looking to us for better things, and for a new end—having to such a marvellous degree turned away from the wild revenge of the past, which threw so much discredit on them, and the condition of things which brought them to that pass having so much improved? Is there not urgent call on the House to endeavour to find some better remedy for the existing evils than evictions? There are many other facts which might be mentioned as showing the state of things existing in this part of Ireland. In conclusion, all I would say is this—there are about a hundred processes in some stage or other out against the Woodford tenants. There are some 87 processes for eviction out against the Portumna tenants. Apparently a clearance campaign against the tenants has begun. Are the forces of the Crown to be lent to carry it out? There is scarcely a single person, save Lord Clanricarde's agent, who disputes that from the beginning of the struggle it has been the landlord living in London, and never going near his estates, who has been in the wrong, and that there is no justification for the refusal to make any concession. We had it from the Cowper Commission that for two years the rent could not be raised from the soil; the priests have been trying to bring about a settlement, and the magistrates and the police are looking forward with misgiving to the future. It is under these circumstances that we are led to-night to ask the Government whether, following out the policy of the right hon. Gentleman who last held the office of Chief Secretary for Ireland, some stay cannot be put to these clearances, which must bring extreme suffering on those concerned, and affect public opinion throughout the country. When we are told that next year there is to be a great land scheme brought forward, is it too much to ask that these clearances should not be made now, and irreparable damage done to people who certainly do not deserve such a terrible punishment?

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "in the interests of humanity and of the just rights of property, and inasmuch as the provisions of the present Land Acts are inadequate for the purpose, it is expedient that steps should be taken without delay to ensure such a competent, impartial, and conclusive arbitration between the two parties to the present agrarian struggle in Ireland as will diminish the necessity for evictions and the costly and humiliating employment of the Forces of the Crown thereat," —(*Mr. John Ellis*)—

instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

*Mr. SMITH BARRY (Hunts, S.): I should not have taken any part in the debate were it not for the personal attack made upon me by the hon. Member who moved the Resolution, an attack which calls upon me for some reply. I will not follow that hon. Member into the question whether the rental value of land has been created by the tenants or not, although I must, to a very considerable extent, traverse that statement, made as it is in a general way by the hon. Member. Neither will I follow him into the question whether the reductions of rent made by the Sub-Commissioners has been fair and just, or whether they are excessive, as I think I could show. But I would like to tell a story of a particular farm upon my own estate, the rent of which passed under the hands of the Sub-Commissioners some few months ago. It was purely a grass farm close to the town of Tipperary. It was fine grass land, had no tenants' improvements upon it of any kind, and so there were no complications in connection with the case. It was a farm of about 200 acres, held under lease from 1867 at a rent of

£464 a year. It was re-valued by the Land Commissioners last year, and the rent was reduced to £386, the result being that within three weeks of the reduction the tenant got for his interest in the farm £2,400, so that the incoming tenant had actually to pay a larger rent than the outgoing tenant. The hon. Member has gone very largely into the details of the Ponsonby estates and the rentals of the different tenants. I will not follow him into those details whether the rents of individual tenants are too high or too low. There has always been very strong reasons for believing that the rents upon that estate were, on the whole, fair and just. In the first place, the rents were fixed by valuation in 1872 by a well-known valuer, Mr. Harris, of Cork. They were at that time barely altered from the old rents existing upon the estate up to that time. Again, in 1881 there was a re-valuation by another well-known valuer, Colonel Heard, and the result was that there was a reduction of some 6 per cent. Then some 70 tenants went into the Land Court, and 30 of them received such very small reductions at the hands of the Sub-Commissioners that the rest, about 40, withdrew their notices and went on under the old rents. After that time Mr. Ponsonby again gave reductions in the year 1882, and, I think, 1885. In addition to that 20 per cent. on the non-judicial and 10 per cent on the judicial rents were the reductions offered when the Plan of Campaign was started. But Mr. Ponsonby told his agent at that time that he did not believe in all-round reductions because he thought the pressure might be greater upon some tenants than upon others, and that he might give further reductions in individual cases where he thought fit. Well, the Plan of Campaign was then instituted upon the estate. I will not follow the history of it until we come to the two months in the beginning of the present year when negotiations were carried on on behalf, Mr. Ponsonby on the one side, and the tenants on the other. The honourable Member has charged me with being responsible for the break-down of these negotiations. He has stated, in the first place, that the offer made by Father Keller was £104,000 and that Mr. Ponsonby was prepared to take £110,000, and that consequently the only difference between the parties was £6,000. Now, that is an absolute misconception. There was beyond this a sum of £18,800, representing charges for drainage, commutation of tithe rent-charges, and other Government charges in dispute, and which Mr. Ponsonby said the tenants should pay, and which Father Keller said Mr. Ponsonby should pay. So instead of there being only a difference of £6,000 there was really a difference of £24,000 between the parties.

*MR. J. E. ELLIS: I beg the hon. Gentleman's pardon for interrupting him, but he will admit this is an important point. Does he mean to say that Mr. Brunker, who was Mr. Ponsonby's agent, did not admit that he would take £110,000, and that Father Keller offered, on the part of the tenants, £104,000?

*MR. SMITH BARRY: I admit that perfectly; but this sum of £18,800 was allocated to the land and should have been paid by the tenants, and not out of the pocket of Mr. Ponsonby.

*MR. J. E. ELLIS: Does the hon. Member mean that that was Mr. Brunker's statement?

*MR. SMITH BARRY: It was stated, and Mr. Brunker will not deny it.

*MR. J. E. ELLIS: But did Mr. Brunker make the statement?

*MR. SMITH BARRY: That was the statement. I do not know whether Mr. Brunker made it particularly, but Mr. Brunker was perfectly aware of the facts, and Mr. Brunker will not deny it. The point upon which the negotiations split was a difference of £24,000, not of £6,000, as stated by the hon. Member, and by Father Keller. I think it is scarcely necessary for me, after having made that statement, to follow the hon. Member into the charge that it was I who broke off the negotiations. The negotiations were practically broken off, because it was perfectly evident that no agreement could be come to between Father Keller on the one hand, and Mr. Ponsonby on the other, on account of the large sum in difference between them, at the time I made those remarks in Cork, which have not been correctly quoted by the hon. Member. I never said that Mr. Ponsonby would never settle with his tenants. Mr. Ponsonby has always been anxious to settle with his tenants. What I did say was

that I was confident Mr. Ponsonby was not likely to surrender to the Plan of Campaign. I think that I may now pass on to the question of the charge against Mr. Townshend, and through Mr. Townshend against me that a company was formed for clearing the estate of tenants. There has never been the slightest wish to evict one single tenant from the estate, if the tenant would come to reasonable terms, if the tenants would accept the very reasonable offer made on behalf of Mr. Ponsonby. As to the statement that I said I was prepared to wreck vengeance on the tenants, I never made use of such an expression. I did say that if there was an estate where the question whether the Plan of Campaign—an acknowledged illegal conspiracy—was to be broken or not this was an estate upon which that question should be tried [*Cries of* "Try it" and "Order."] I should like before I sit down just to state to the House what were the offers that were made to the tenants on the Ponsonby estate since the negotiations were broken off or rather since the negotiations came to an end in the month of February last. I will take first the offers made to the judicial tenants where the rent was £100 a year. On this estate there has been no rent paid for four years, so that the tenant's arrears come to £400. The offer made to the judicial tenants was that on their paying one year's rent of £100 and the interest on the arrears which would be calculated on £275, that is to say, deducting the judicial allowance on the last two years of 16 per cent and 8 per cent respectively, and thus reducing the £300 to £275; then instead of having to pay up the capital sum of the arrears they would be only required to pay interest on the moderate rate of 3 per cent on these reduced arrears. As an alternative to this they were offered the choice of purchase, and the sum demanded would then be calculated on a future rental reduced from £100 to £76 under the terms of Lord Ashbourne's Act. With regard to the non-judicial tenants, and taking a similar typical case where the rent was £100 and the arrears £400, if the tenant would agree to pay £80 down, that is one year's rent, minus 20 per cent offered at the time the Plan of Campaign was started, then he should be allowed to go on paying at that rate, and his arrears should be computed at £240 instead of £300 as they would be if demanded in full, and similarly he would be allowed to pay interest at 3 per cent on these arrears instead of being required to pay the capital sum. But this was not all; there was a further clause in the offered agreement which ran thus:—

"Should you consider it probable that you would obtain more advantageous terms from the Land Commission, and if you pay the sum of £80 before the date named,"

a given time was fixed after the receipt of notice—I think a fortnight—

"and now apply to have a fair rent fixed, the landlord will not require payment of the arrears due to the 25th March, 1889, if you pay 3 per cent thereon. He will also be prepared to regard any reduction which may be made in your rent as retrospective; and that the interest referred to will be calculated on the abated rent and not on the actual amount of arrears due."

Now the real contest on the estate is, who is to value the rent of the farms? Mr. Ponsonby offered the tenants the opportunity of going into the Land Court in 1882, and some of them went into Court. [*Cries of* "No!"] Well, I do not think I am open to correction on that point; but those who were non-leaseholders had the opportunity and could have availed themselves of it, but the majority of them did not persist, but withdrew their notices because the reductions given were so small. After the Act of 1887 was passed, and leaseholders were admitted to the benefit of the Act of 1881, they again had the opportunity of going into Court. They issued notices, but they withdrew them again. They have now the opportunity again if they desire it, and are not satisfied with the offer of Mr. Ponsonby and those who act for him. If they are not satisfied with the terms, they can go into Court and have a fair rent fixed, those fair rents being made retrospective as well as prospective. Now I think that I have answered all the allegations against me in regard to my conduct in reference to the Ponsonby estate. These tenants can go into Court, their arrears can be settled on a generous basis, they can purchase their holdings on extremely easy terms, but we mean to insist that these rents shall be fixed by the proper legally constituted tribunal appointed by Parliament for the purpose, and not by means of an illegal conspiracy called the Plan of Campaign.

MR. CLANCY (Dublin County, N.): Should anyone in the House or in the country be surprised that the hon. Gentleman who has just spoken was kicked out of the representation of Cork, an explanation may be found in the speech we have just heard. He was Member for Cork for several years, and when he no longer represented principles such as he then professed, he transferred his energies to an English constituency, but he left behind him the lasting contempt of the Cork people. He has been forward in platform speeches, in references to Members of the Party to which I have the honour to be connected, as disturbers of law and order, but I charge against the hon. Member to-night that he is himself the real cause and fountain-head of all the disorder and all the crime committed in the county of Cork. There were parts of the speech of the hon. Member for the Rushcliffe Division that demanded a reply from the hon. Member, but no reply did he give; the hon. Gentleman diverged into another subject altogether, and left untouched the grave charges made by the hon. Member for the Rushcliffe Division. I take the liberty of repeating those charges. The principal charge is this—that this man, who has no connection with the Ponsonby property, who is as much an outsider in reference to that property as I or any Member of this House, with deliberation and malice aforethought stepped in between Mr. Ponsonby and his tenants and prevented a settlement of the dispute between them. This is not the first time he has been challenged in this House, and I now challenge him again to answer the charge of having put the Government of Ireland in motion in order to put down a public movement of a perfectly legitimate character in Ireland. Let me recall the charge made against him last year. The charge was that when a meeting was about to be held of the Ponsonby tenants to consider their position, a certain telegram was dispatched to Captain Sarsfield in Cork, asking him to get an information sworn saying that if the meeting were held it would be followed by disorder and crime. The charge which I now repeat is that this telegram was sent by the hon. Member or at his instance. And this is done by a gentleman having no connection with this estate, who is a mere outsider, a planner and fomenter of disorder, who has the audacity to come down here and pose as a Member of the party of law and order in this country. I see the hon. and gallant Member for North Armagh laughs, but there is no contradiction of the statement I have just made, that by discreditable means and with discreditable motives the hon. Member for South Hunts sought to suppress a public meeting. This is not contradicted; it is only met with laughter. We have had to-night the usual landlord's defence, such as we have heard in Cork a hundred times; but the real charge made against the hon. Member for South Hunts has not been met, and I invite the Leader of the loyal minority in Ireland, now represented by three persons in this House, to answer the charges the hon. Member neglected to answer. The charge is, that Mr. Brunker, acting for Mr. Ponsonby—it is not denied that he did act as Mr. Ponsonby's agent throughout these negotiations—was prevented from arriving at a settlement by the hon. Member for South Hunts. Up to the beginning of the present year two attempts had been made for a settlement by purchase. At first the landlord demanded 23 years' purchase on the old unreduced rents. That was in the early days of coercion, before that weapon had broken in the hands of the Member for Manchester, and when it was thought the people of Ireland could be terrorized and intimitated into buying out the landlord's rack-rents at his own figure. Subsequently, in October, 1887, the landlord offered a reduction of 35 per cent, or 1½ year's rent, if the tenants would pay 17½ years' purchase. This was what three months of coercion did for the Ponsonby estate. Mr. Ponsonby reduced his demand under the influence of the Coercion Act from 23 years' purchase, on the old rents to 17½ years. Towards the end of last year Mr. Brunker, who acted as the trusted agent of Mr. Ponsonby until he resigned his agency disgusted, he representing the landlord while the Rev. Canon Keller represented the tenants, renewed the negotiations for purchase. For two months the parties corresponded in the most amicable spirit. Mr. Brunker started with a demand right and proper from his point of view as representing the

landlord for £127,000, but eventually he came down to £110,000. The highest offer the tenants under the Coercion Act could be induced to make was £104,000, so that the difference between the parties and the hon. Member for South Hunts cannot deny it was just £6,000, which, at 4 per cent, was a little less than £1 per tenant annually. Well, I say at that moment a point of agreement was almost reached when a certain Primrose League banquet or some other gathering of the same sort, some 60 or 70 strong, was held in the City of Cork. That is about the size of Unionist gatherings there—in a city of 110,000 inhabitants. At this Tory banquet and at the time when an agreement on the Ponsonby estate had been almost reached, Mr. Smith Barry—I do not know if it was the Member for South Hunts, the hon. Member can deny the identity if it was not—I assume it was the Member for South Hunts, announced that Mr. Ponsonby intended to repudiate the settlement and continue the fight.

*Mr. SMITH BARRY: I have stated what I did say. I never made use of any such expression.

Mr. CLANCY: Of course, I must accept the hon. Gentleman's contradiction; I am not able to give the exact words, but I quote from a newspaper; the hon. Gentleman ought to believe the *Cork Constitution*. As in the case of a certain Dublin banquet, there were no reporters there, but perhaps special Castle stenographers cooked a Report. But it was stated on the authority of a newspaper that represents his Party, that Mr. Smith Barry—probably the Member for South Hunts — announced that Mr. Ponsonby intended to continue the fight, and I have a letter here from Mr. Brunker, the agent to Mr. Ponsonby, showing as clearly as a letter can, that Mr. Brunker was as much astonished at the announcement as was Canon Keller himself. In this letter Mr. Brunker expresses his surprise and regret, and acknowledges the kindly spirit in which Canon Keller in conversation and correspondence had carried on the negotiations, and sympathizes in the disappointment the rev. gentleman must feel at their efforts being in vain. If further proof is wanted there is explicit testimony as to the motive that actuated this disturber of order and of friendly negotiations. At the very time when Mr. Townshend, the agent of Mr. Ponsonby, was still the owner of the estate, the hon. Member for South Hunts, speaking at Brompton, Huntingdon, stated to an audience some 60 strong, according to a local newspaper —about the strength of his Cork audience—that

> "The estate had lately been bought from the landlord by himself and a few friends, and they had bought it for the purpose of defeating the Plan of Campaign. They hoped to inflict such a lesson on those who had to their own great misfortune taken part in the Plan of Campaign as would, he hoped, deter tenants on other estates from embarking upon such unfortunate and criminal adventures."

Now, I hope to hear no more language of this kind spoken. I hope there will be more talk of the Derelict Lands Trust Company, or of the Land Corporation, or of the Cork Land Defence League, or anything of organizations for the purpose of getting distressed landlords or ladies their rents. The openly avowed object of loyal combinations in Ireland is to wage war upon the tenants. The object of the tenants of Ireland, who have been taught lessons they will never forget, is to combine for their own protection. The hon. Member for South Hunts has gone over the familiar facts of the case, and he has misstated them as usual. I have not the least hesitation in saying that he has not given a correct statement regarding the Ponsonby estates. Colonel Herbert valued these estates and reduced the rents. Who is Colonel Herbert? Was he an impartial valuer —was he a tenant's valuer? On the contrary he was a landlord's valuer, paid by them, I suppose, *pro ratâ*. He was paid by results. There is no pretence whatever that the landlord has any more right than the tenant to judge his own case. Is the valuation of Colonel Herbert, who was appointed and paid by the landlord, to be accepted as the standard of rents on the Ponsonby estates? The thing is perfectly absurd. The hon. Member for South Hunts made a statement in Huntingdonshire that the tenants were at perfect liberty to enter the Courts. So they were, and so are the "spirits of the vasty deep," but will the spirits come when called? Mr. Ponsonby took care by evicting, not relieving, all the tenants before the

Act of 1887, that they should never have an opportunity of going into the Court. In face of this fact, which is perfectly notorious, we have the arch-exterminator and the arch-fomenter of disorder on the Ponsonby estate to-night trying to brazen out his position by misstatements of this case. I do not envy the position of the hon. Member for South Hunts. He has undertaken a gigantic task. There are 400 tenants on this estate; they are combined, and all the forces of the Government and of the landlords of Ireland will fail to break their combination, so long as there are recources in the Irish of America and Australia, by whom these tenants will be supported to a man. It is a gigantic task, evicting 400 tenants, their wives and children, putting them out on the roadside to perish rather than apply the principle of arbitration to this estate. But there is a more serious reason, and one more personal to the hon. Member. He owns estates in the County of Cork himself and in the County of Tipperary. The men of Tipperary, in the past, at all events, have given evidence that they know how to protect themselves. It occurs to me—and I call the attention of the hon. Member to this fact—that these tenants are acting very foolishly for themselves and for their class in continuing to provide the sinews of war to the hon. Gentleman to exterminate their brother tenants. If there is to be a combination of landlords who have no connection with this case, or the affairs with which they meddle—as is the case here—then there may be a combination of tenants under similar conditions. The Member for South Huntingdon has no connection with the Ponsonby estates; it is not his business; it is for the purpose of vengeance and war, as I have shown. I am reminded that at one time or another in the remote past there was some title like Lord Ballymore, and by some circuitous and subterranean channel he may be able to recover the title to the family again. But, I say, if there is to be a combination of landlords, who have no concern in this estate, out of pure malice, and for the purpose of war and vengeance upon the tenants, it may very well occur to the tenants of the hon. Member and such landlords, that they, too, are entitled to combine in the matter, whether their combination be legal or not. ["Oh."] I hear some observations on the other side as if I ought to be ashamed of what I have said. ["No," and "Certainly not."] Hon. Members opposite seem to forget that acting by illegal means was for centuries the only method of redress open to the people of Ireland. They seem to forget that for centuries the practice of the Catholic religion was illegal in Ireland. The education of the children of Ireland in the faith of their fathers was illegal. The manufacture and export of Irish products was illegal. Why, it was said the other day that illegality was the very breath of us, and we are not ashamed of it. It is you who ought to be ashamed of it—you who imposed those infamous laws upon Ireland. Who denies that they were infamous? Does the solitary Catholic who sits for England (Mr. De Lisle) deny that the law which made the Mass illegal was an infamous law? Association with certain companions produces strange changes, and we might hear of the hon. Member for Mid Leicestershire declaring that the Mass should be again made illegal. If we are obliged to act by illegal means in this matter, on your heads will be the responsibility. One word regarding the question of arbitration. It is a notorious fact that for the last month or two the strongest efforts have been made by his Grace the Archbishop of Dublin to get the landlords of Ireland to consent to the adoption of this principle. What was said? Why, that we were hanging out the white flag, that the Plan of Campaign was broken, that the National League was being supplemented, and that the people of Ireland were being liberated, and were taking their own course. As far as I am concerned—I speak only for myself—I will never again make an offer of arbitration to any landlord in Ireland. If the landlords of Ireland want arbitration they will have to ask for it. We were not opposed to arbitration. We shall welcome it, but offer it we never will again to such men as Mr. Ponsonby or the hon. Member for South Hunts.

COLONEL SAUNDERSON: I am glad that the right hon. Gentleman the Member for Mid Lothian has been in the House during the last speech. I happened myself, in bygone

years, to support the right hon. Gentleman when he brought forward his Land Bill of 1870, and I remember that the right hon. Gentleman was exceedingly satisfied to have at least one Irish landlord on his side on that occasion. I remember the right hon. Gentleman's speeches then. I also remember the time when the right hon. Gentleman brought in his Bill for the disestablishment of the Irish Church. I remember, too, the speech in which the right hon. Gentleman brought in the further development of his Land Act of 1870—the Land Act of 1881. And what was the hope, and the just hope, which the right hon. Gentleman then candidly expressed? It was that those remedial Acts would be a final settlement of the Irish question. And what was the result? We learn from his ally and follower on the opposite side that all those remedial efforts on the right hon. Gentleman's part have resulted in forcing Members below the opposite Gangway to a course of illegal illegality—whatever that means. So far from conciliating the Irish people, every one of the concessions made by the right hon. Gentleman—some of which I have myself supported—were but stepping-stones on which hon. Members opposite mounted to make fresh and more extreme demands. The hon. Member made a strange admission in his speech, for a practised lawyer. He absolutely denied that the £18,000 was to be added to the landlord's price, and immediately afterwards he said that the first demand of Mr. Ponsonby was exactly £18,000 more than was last demanded. He, therefore, admitted that this £18,000 came into the transaction, and that the final demand of Mr. Ponsonby was the original demand, minus the £18,000, and now he wants the House to believe that the demand was altogether £110,000, minus the £18,000.

MR. CLANCY: What I stated was that Mr. Brunker started the demand for £127,000, and came eventually down to £110,000, and that the difference between Mr. Ponsonby's original demand and the offer of the tenants was exactly the 18 years' purchase.

COLONEL SAUNDERSON: That is exactly what I said. I believe that the landlord who owns an estate has the right to make the bargain; but the hon. and learned Member appears to think that Mr. Brunker had a right to go behind the landlord's back and make some private arrangement with Father Keller. The hon. and learned Gentleman seemed to contend that this offer of Mr. Brunker was a final offer.

MR. CLANCY: I read Mr. Brunker's letter in which he said he hoped, as the result of further negotiations, to obtain a settlement of the matter.

COLONEL SAUNDERSON: The hon. Gentleman seemed to me to contend that the offer was a final offer, and the contention of the hon. Member for South Hunts (Mr. Smith Barry) has not been shaken by that of the hon. and learned Gentleman. As to the speech of the hon. Gentleman who moved this Resolution, he appeared to be altogether ignorant about this £18,000; and every day I live the more I seem to realize what children hon. Members opposite are in the hands of their allies the Irish Members. I challenged the hon. Mover of the resolution to say whether or not this question of adding the £18,000 to the £110,000 was proposed by Father Keller. The hon. Gentleman made no allusion to it in his speech, and I conclude that the hon. Gentleman has shared the fate of many of his colleagues and was hoodwinked when he got over to Ireland.

*MR. J. E. ELLIS: I said Mr. Brunker and Father Keller only varied from one another by £6,000.

COLONEL SAUNDERSON: The hon. Gentleman is mistaken. Well, the hon. and learned Gentleman opposite has said "What right has the hon. Member for South Hunts to meddle with property with which he has no personal concern?" My answer is that we Irish landlords conceive that we have a personal concern in every property of every landlord in Ireland. Surely hon. Gentlemen opposite will admit that this is perfectly reasonable. The Irish landlords stand or fall together. I want to show how weak-witted the "patriots" are. If the House declares that it is legal to rob one landlord, then it is legal to rob all landlords; and if the law refuses them power to secure their rents, then all landlords will fail to secure their rents. That is perfectly clear; and hon. Members opposite ought to be awake to the fact that Irish landlords and every man in the empire

who is in favour of that which supports law and order would—[*Opposition cries of* "Oh, oh."] If I were to advise any novice in the art of speaking who wanted to raise a laugh in this House, I should say he has nothing to do but say "law and order." Why, Sir, it is a joke, the right hon. Gentleman the Member for Derby (Sir W. Harcourt), laughs at the very idea. A short time ago the hon. Member for East Cork (Mr. Lane) said that law and order sounded to him like the refrain of a comic song, and the right hon. Gentleman the Member for Derby seems to agree with him. I say that every supporter of law and order in this country is gradually beginning to see that he must back up the Irish landlords in the fight we are undertaking. I want to point out that there is a larger issue at the present moment than simply the fight about one estate which is at stake. I am glad to find that hon. Members on the opposite side of the House agree with me on this point. This is not solely a question as to whether an Irish landlord knows too much for the other parties or not, it is a far greater and wider and deeper question than that. Hon. Gentlemen opposite have chosen the field on which to fight their battle, and they have of late been more candid than they were before; for now they do not conceal what their ultimate object is, nor how they intend to obtain it. They have fought us on what they have supposed to be our weakest point, and that undoubtedly is landlordism. I admit it. A landlord is not supposed to have many friends in a democratic country, and so hon. Members opposite have attacked various estates, which estates they have had the advantage of being able to choose for themselves. Having considerable—almost supreme—authority in certain parts of Ireland in the past—though I am happy to say that that is not the case at present—they have settled and arranged the estates as to where these various fights are to take place, and they have consequently set up the Plan of Campaign on those properties in order to concentrate the eyes of the Empire on the weakest point in the enemy's line of defence. In these cases they have forced the landlords either to give in or to evict. I say that if a landlord has one particle of British pluck about him, he would break stones on the road sooner than give in to hon. Gentlemen opposite. With regard to the Ponsonby estates, I think it has been clearly shown that Mr. Ponsonby has not been an extortionate, harsh, or exterminating landlord. On the contrary, hon. Members opposite know well that until the Plan of Campaign was put in force on that estate, Mr. Ponsonby and his forefathers lived on perfectly amicable terms with the tenants; and that far from being an unimproving landlord, in 16 years Mr. Ponsonby has spent £9,000 on the estate. The other estate on which hon. Members have fought this issue is the Luggacurran estate. I hope I may here be allowed to say a word in reference to the speech of the hon. Gentleman who seconded the Motion before the House. There is no doubt that he spoke to the subject to the best of his ability, but he certainly did not appear to understand much about Irish questions. I say, with all respect for the hon. Gentleman, that if he had consulted his friends below the Gangway, they would have set him right. The hon. Gentleman imagined that the Irish landlords were burdened with arrears that have been gradually accruing for 40 years. This, of course, is not the case, and this is the sort of slip hon. Members make who do not understand the subject on which they speak. Now, when the hon. Gentleman said the Lansdowne estate was one of the best estates in Ireland, and Lord Lansdowne one of the best landlords in Ireland, none of his friends cheered that remark. It was as to this estate that the right hon. Gentleman the Member for Mid Lothian (Mr. Gladstone) pointed out, in one of the speeches he recently delivered in the South of England, a fact of which I was previously in absolute ignorance. He said, in a place, the name of which I forget, but I think it ended in "mouth," that the real authors of the Plan of Campaign were the Irish landlords. Now, I did not know that before. I always thought it was the hon. Gentlemen below the Gangway on the Opposition benches who were the authors of that movement. I do not pretend to quote the right hon. Gentleman with verbal accuracy, but merely give the gist of what he said.

MR. GLADSTONE (Edinburgh, Mid Lothian): The hon. and gallant Gentle-

man is mistaken. I said the real authors of the Plan of Campaign were the Government and the majority of the House of Commons.

COLONEL SAUNDERSON: I at once accept the correction of the right hon. Gentleman, and I can only say that the report of his speech in the *Times* was inaccurate. It comes, however, to the same thing, that the landlords' representatives in this House, and in the Government, were the authors of the Plan of Campaign, and became the authors of that Plan because they rejected the Bill brought in by the hon. Gentleman, the Member for Cork (Mr. Parnell), whereby they forced the Plan of Campaign on the Irish tenants.

MR. GLADSTONE: I said it was because they had rejected that Bill and all other proposals whatever. [*Cries of* "Order" from the Ministerial Benches.] I beg pardon, but I am reciting what I said. I did not assume that it would meet the hon. and gallant Gentleman's approval, which I should think very doubtful.

COLONEL SAUNDERSON: The right hon. Gentleman has given an explanation of his speech by saying the Plan of Campaign was due to the action of the Government and this House in rejecting the Bill of the hon. Gentleman the Member for Cork, and all other proposals whatever. Now, I do not know what "whatever" means; but evidently the effect produced on one's mind by the speech of the right hon. Gentleman is that the main reason for the Plan of Campaign was the rejection of the Bill of the hon. Member for Cork. I do not think the right hon. Gentleman can deny this; and if that be so let us test the statement by the Luggacurran estate. That will be admitted to be a test estate, because two distinct emissaries were sent across the Atlantic to Canada to bring home to the Canadian people the barbarities of the Irish landlords in the person of their Governor General. Now, let us take the tenants on the Luggacurran estate, and see what is their position under Lord Lansdowne as compared with what it would have been under the Bill of the hon. Member for Cork. Lord Lansdowne offered to receive from his tenants as a settlement £917. If the Bill of the hon. Member for Cork had passed, the tenants would have had to pay £2,264. That is to say, they were the better by £1,347 for the loss of the Bill, which loss, the right hon. Gentleman says, has forced the Plan of Campaign on the Irish people. Why did not the tenants on the Luggacurran estate pay their rent? Was it because they could not pay? Was it because the rents were excessive? I hear no assent from hon. Gentlemen opposite; probably they know what is coming. The hon. Member for South Kerry (Mr. Kilbride), who was a tenant on the Luggacurran estate—[An hon. MEMBER: And now in gaol.] Well, it is hard to know who is in gaol and who is not; but hon. Gentlemen must not complain if they go to Ireland with the deliberate intention of going to gaol. I wish to be fair, and therefore I quote what the hon. Member for South Kerry said on this point. Speaking on March 30, 1887, he said:—

> "The Luggacurran evictions differ from most of the other evictions to this extent—that the tenants are able to pay the rents, but it is a fight of intelligence against intelligence, of diamond cut diamond."

To show how valuable were the tenants on the Luggacurran estate, one of those evicted is a distinguished Member of the Party opposite, and another victim to th rapacity of Irish landlordism. Mr. John Dunn ran a horse at the Curragh two months after his eviction. I do not know whether the hon. Gentleman mentioned that fact in Canada. In reply to the charges made against this Irish landlord, I think we may rely on what has been said by Members of the Party opposite. But the question at present at issue is graver far than simply whether rents are too high or too low, whether this landlord or that is to be condemned or acquitted. The landlords are fighting the battle of the law of the land. ["How"?] Wait, and I will show you. Is it true that we, the Irish landlords, deserve the obloquy, the vituperation, the condemnation that has been heaped upon our heads, not only by hon. Gentlemen opposite below the Gangway, whose profession it is to do this, but by right hon. Gentlemen on the Front Opposition Bench who ought to know better? Why, if I wanted a character for the Irish landlords I need not go to the Government Bench, I would go to the Front Bench opposite. The right hon. Gentleman the Member for Mid Lothian himself in

bringing in his Land Bill bore testimony to the character of the Irish landlords. The right hon. Gentleman did not justify his legislation by the expressed or implied misconduct of the landlords of Ireland generally. "On the contrary," said the right hon. Gentleman, "as a rule they have stood their trial, and as a rule have been acquitted." Then, as to the charge of extortionate demands for rent, and as to whether they should ask for the rents the Legislature has declared they ought to receive, I will recall the authority of the right hon. Gentleman the Member for Derby, who about the same time said,—

"The Liberal Party never will have anything to do with attacks upon the property, any more than on the persons, of our fellow-citizens. Landowners have just as good a right to a fair rent as you or I have to the coat upon our back. Whenever the Liberal Party has allied itself with socialistic ideas, whenever it has followed"—

I ask the right hon. Gentleman the Member for Newcastle (Mr. J. Morley) to listen to this—

"Some of these misty philosophers into courses that would destroy the safety of society it has come to grief, as it deserved to come to grief"—

as it has come to grief. The right hon. Gentleman said we have as much right to a fair rent as to the coat upon our back, but he said that before he turned his coat, and from a comparison of his speeches it appears to me that he abandoned his coat and his principles together. I think I heard some hon. Gentleman on the other side of the House express approval of the idea that we are entitled to a fair rent, and of course the question is what is a fair rent? I will give an example of what a distinguished Member of the Party below the Gangway opposite considers a fair rent to an Irish landlord. This is what the hon. Member for the Scotland Division of Liverpool said when he visited the other side of the Atlantic, and I conclude he holds the same opinion on this side of the Atlantic, and I suppose he used the words for some purpose, whether good or not I do not say. The hon. Member said this:—

"I want you to understand that the reduction of rent we require is not a small, or a petty, or a legal reduction, but the total abolition of rent."

MR. T. P. O'CONNOR (Liverpool, Scotland): In the first place, I never used the adjective legal; and, in the next place, the hon. and gallant Gentleman has dragged this sentence from its context, and thus conveyed a wrong impression as to my meaning. I spoke in 1881, before the Land Act had begun.

COLONEL SAUNDERSON: In 1882.

MR. T. P. O'CONNOR: Well, practically before the Land Act had begun to operate. I speak of a speech delivered nearly eight years ago. My intention was to convey that what we wanted was not a petty sporadic or small reduction of rent, but that we wanted a large reduction of rent. When I said we wanted the total abolition of rent, I meant that we desired to see the rent-paying tenantry transformed into a peasant proprietary, which now I understand is advocated most warmly by the present Government.

COLONEL SAUNDERSON: I took the quotation from a paper called *United Ireland*, and in that interesting journal there is no mention of the various sentiments upon which the hon. Gentleman has given us information. Of course I could not tell what the hon. Member meant. I could understand what the "total abolition of rent" would mean to the landlord when at the end of the year he totalled up his banker's book. "Total abolition of rent!" let the hon. Member explain that, if he intended any meaning.

MR. T. P. O'CONNOR: The hon. and gallant Member has no right to quote a speech and challenge its accuracy without accepting my statement. I say that at the time I used the words he has quoted what I meant by the total abolition of rent was the transformation of rent-paying tenants into peasant proprietors, with full and fair compensation to the landlords.

COLONEL SAUNDERSON: I am not aware even now that the hon. Member has denied the accuracy of my quotation. He tells us he meant certain things——

MR. T. P. O'CONNOR: I said not only what I meant, but I said what I say now.

COLONEL SAUNDERSON: The quotation was made in the House of Commons two years ago. It was not denied then, and I naturally imagined it was

accurate. But I pass on. What I want to point out is this—the reason why we Irish landlords are subjected to these attacks is not because we are grasping; it is not because the tenants are suffering; the reason we are attacked is because we are looked upon as the principal prop and assister of the rule of Great Britain in Ireland. I do not make this statement rashly. I will do hon. Members the justice to say they have never changed their attitude, and all along the line their action has been continuous in this respect. When the "union of hearts" took place they did not change, they changed others. From the first, and up to now, they have candidly acknowledged that the attack on the landlords was a synonymous term for attack on the British Government. What did the hon. Member for Longford say? I am sorry to weary the House with these quotations; but it is important that the country should know the reason why we, and the class to which we belong, are so fiercely attacked. What did the hon. Member for Longford say twice in America, when he went to enlist the sympathy of his friends there? He said, speaking at Boston on December 24, 1881:—

"We believe that landlordism is the prop of English rule, and we are working to take that prop away. To drive out British rule from Ireland we must strike at the foundation, and that foundation is landlordism."

A month later he was at New Orleans, and there he repeated the words with emphasis. Speaking at New Orleans on February 4, 1882, he said:—

"We wish to get rid of British rule in Ireland. Landlordism is the prop of that rule. It must be abolished."

This may be looked upon as ancient history, but all along the line and up to the present day hon. Members and their friends have pointed out to the Irish people that the end and aim of their efforts was not to reduce rents and to get rid of landlords, but to throw off the hated rule of Great Britain. The Rev. Mr. Cantwell, P.P., on September 23, 1886, in Dublin, said:—

"All our action with regard to this intermediary question of the landlords and tenants is only a step towards the great goal of Irish nationality."

Even the other day the hon. Member for Wexford in a speech—I want to show how continuous is the line of thought and action of hon. Members opposite—on the 12th May the hon. Member for Wexford said:—

"I have always held the view that the farmers of Ireland, once they become independent and are no longer serfs, will be strong in the desire for Home Rule. So, I repeat, this is not a land movement; it is a National movement, and even if to-morrow the land question were settled, and the farmers showed apathy to the National cause, we should denounce the farming class as we denounce the landlord class who stand in the way of the National cause."

["Hear, hear!"] I am glad hon. Gentlemen acknowledge the accuracy of the statement; it shows that they, at any rate, have the courage of their convictions; but I think it is a very grave thing when we find right hon. Gentlemen opposite who have held high positions in the State adopting principles which, in recent times, they so utterly condemned. What did the right hon. Gentleman the Member for Mid Lothian say the other day at Torquay? He said this:—

"Never, I think, gentlemen, in my recollection, has there been so interminable a series of details of the painful processes connected with eviction processes, which in many cases, I fear, have been put in motion for the purpose of enforcing claims in themselves impossible and unjust."

Impossible and unjust! And he himself established these claims by the Act of 1881!

"And processes which, even when they may be excusable, can never be otherwise than odious in the eyes of a free people, because we ought to feel that if we cannot manage the affairs of Ireland in such a way as to avoid social evils of this kind perpetually recurring and having such a tendency to promote general disaffection, we ought to allow the Irish to see whether they cannot manage their own affairs better."

What does that mean? It means that the Irish people are to go on from day to day perpetuating the recurrence of these scenes; and if, by a perpetuation of these scenes, they can show and prove to the British people and Parliament that the law of the land cannot be enforced, and that the hands of British Government are effete and nerveless, and allow the reins of Government to fall into the dust, then, forsooth, the men who have defied your authority and contemned the law are to be made the rulers of Ireland. I say no statement more reckless was ever made in the course of political controversy.

We who are now in the front of this battle are fighting that the authority of the law shall be maintained. We may be shattered with the cause we seek to sustain. We may fall; our position is not a happy one. As the right hon. Gentleman said, in times gone by, "the hour glass is turned and the sands are sinking." Well, we may fall; but if we do we shall have the proud consciousness of this—that we fall like Irish gentlemen, contending for the cause for which our forefathers fought, and for which we are not ashamed to fall.

MR. SEXTON: When the hon. and gallant Gentleman talks about himself and his friends being prepared to fall like Irish gentleman, he,no doubt, means that they will fall backwards, borne down with the weight of 23 years' purchase in their coat-tail pockets. The Chief Secretary is in the habit of claiming for himself the credit of some improvement in the state of Ireland, and whatever deficiency in that claim is due to his modesty is always made up by his friends; but happening to know something of Ireland, I venture to say that any improvement that may be visible is due, not to the efforts of the Chief Secretary, but to the extent to which his evil policy has been counteracted by the feelings and action of representative Englishmen, like my hon. Friend the Member for the Rushcliffe Division (Mr. J. E. Ellis), the hon. Member for Scarborough (Mr. Rowntree), and others. Whatever may be the issue of the Motion before the House, the wise and kindly action of hon. Members above the Gangway will be sure to bear good fruit. I am not surprised that the Motion does not meet with the approval of the hon. and gallant Member for North Armagh. Touching the substance of his speech, I must say that he has emptied before the House the same old wallet of mouldy scraps, and I shall not disgust the sense of the House by turning over the decayed materials. He has indulged in the same old jokes in the manner of a circus humourist; but I will not take notice of them, because the profession of the hon. and gallant Gentleman, so far as he has any discernible profession, is to defame his country. I thought I discovered in one part of his speech an allusion to a certain great process now going on, and to the inefficient manner in which it is conducted; an attempt to eke out the poor forensic powers of the Attorney General, and the inefficient judicial conduct of Sir James Hannen and his colleagues, by trying to decide before the House of Commons a cause now before a great tribunal. The hon. and gallant Gentleman would have better followed the professions of his Party by leaving these matters to the decision of the tribunal itself. I do not expect the hon. and gallant Gentleman to give countenance to arbitration. The hon. and gallant Member claims to be an Irishman; but he is at present engaged in the promotion of joint stock speculations for providing the capital to banish Irish tenants from their homes. I do not expect an Irishman who goes so far in malignity against his own people to give any countenance to the attempt by arbitration to secure them in their homes. Moreover, nothing but fighting will serve the turn of the hon. and gallant Gentleman, and only should he stoop from his Olympian height and assist in arbitration for Irish tenants when he has at his back a squad of anonymous British officers who are pledged to any extent to follow him even to the height of offering forcible resistance to the will of the Irish people expressed in a Parliamentary manner. I regard the fighting characteristic of the hon. and gallant Gentleman with tranquillity, though it may yet bring him before the termination of his career to breaking stones, not upon the road, perhaps, but in a more inconvenient place. I call to mind that when fighting had to be done as a matter of duty, the hon. and gallant Member managed to keep very clear of it. He had then a little Plan of Campaign of his own—a sort of "no fight" manifesto. Well, if the case of the Ponsonby estate was left in a bad condition by the hon. Member for South Hunts, the hon. and gallant Member for North Armagh put it in a worse condition. The omissions of the hon. Member for South Hunts were remarkable. He told the House that he would not attempt to argue whether or not a great part of the value of the estate had been created by the tenants; he told the House he would not argue as to the sufficiency of the reductions; but even in the meagre narrative he gave, there were some remarkable facts. What where the terms offered by Mr.

Ponsonby according to the hon. Member? First, that every penny of the arrears admitted and proved to be unjust by the voluntary action of the landlord and by the decisions of the Courts should remain as a debt against the tenants upon which they were to pay interest; and, secondly, that the tenants were to purchase on such a calculation that the annual instalments payable to the Government would be far in excess of Griffith's valuation. Does the hon. Member attempt to argue that that is, or even can be, maintained as just? I speak within the knowledge of the House when I say Griffith's valuation was made as a valuation of the rent which a solvent tenant would pay from year to year for the holding as it stood, including tenant's improvements; and it was made, moreover, when prices were high and buoyant, and not as they are now, low, and sinking lower. The offer of Mr. Ponsonby was not an offer that the tenant could fairly accept. An attempt has been made to confuse the issue by introducing a number of figures; but I put the case broadly before the House, when I say the tenants on the one hand offered £104,000, and the agent offered to accept £110,000. The hon. Gentleman the Member for South Hunts has been unsuccessful in an attempt to define further sums he mentioned. He has spoken of certain charges on the land, but he has not defined them.

*Mr. SMITH BARRY: Drainage charges, tithe rent charges, and quit-rents.

Mr. SEXTON: The information in my hands leads me to the conclusion that these charges were included in the £128,000 first stated by Mr. Brunker. It is remarkable that the difference between the first offer of Mr. Brunker —£128,000—and his offer of £110,000 corresponds with the sum of £18,000, the charges stated by the hon. Gentleman (Mr. Smith Barry). But whether that be so or not, the agent asked £110,000 and the tenants offered £104,000. We have a letter under the agent's hand in which he says that the negotiations had almost reached the point of settlement; that he would make every effort to arrive at a satisfactory conclusion; and that he had no doubt his efforts would be successful. I ask this assembly, why at that moment did the hon. Member for South Hunts, who had no connection with the estate, step in as the Mephistopheles of peace? It is perfectly manifest that if the agent had been allowed to continue to negotiate these tenants would before now have been settled in their holdings. There is no English landlord opposite who would not be ashamed to have it said of him that he had interfered in such a way with the tenants of other people. I do not think there is one English landlord opposite who, however he may be constrained by Party exigencies to vote upon this or any other question, will not in his conscience and heart condemn the hon. Member for South Hunts for the cruel and wanton course he has taken—a course unworthy of a representative man, unworthy of a generous minded gentleman, and manifestly opposed to the public interest and public peace. The hon. Member made a bad case for himself; but the case was made worse by the hon. and gallant Gentleman the Member for North Armagh (Colonel Saunderson). In reply to the challenge, "What business had the hon. Member for South Hunts to interfere," the hon. and gallant Gentleman said "the Irish landlords have a personal concern in the property of every landlord in Ireland." Now, if Irish landlords, with all the law upon their side, with all the administration upon their side, with juries packed in their interest, every recourse of law and Government at their service, have such a personal concern in the properties of each other that it is right of them to combine or to form themselves into a joint stock company to drive the tenants of any one landlord from their homes, then I ask, have not the tenants on any particular estate a personal concern—I do not go so far as to say in the affairs of all tenants in Ireland, but only in the affairs of their fellow tenants upon the same estate. Have they not a right to combine with one another not to evict other people from their homes, but to save themselves from expulsion? That is the morality of the Plan of Campaign, make the legality of it what you like. Speaking for the Irish landlords the hon. and gallant Member for North Armagh said, "We stand or fall together." Well, and so do we. So do the tenants. If the observance of that

laudable maxim on the part of the landlords is patriotic and Constitutional, is it immoral and criminal on the part of the tenants? The hon. and gallant Gentleman spoke of law and order being treated as a joke. Who have made law and order a joke? The Party opposite. They pass laws to suit the interests of their Party. They allow those laws to be administered according to the will and caprice of the most discredited and incompetent of their servants. Law and order a joke! Why, when the Government have reduced law and order in Ireland to the position of an instrument or servant of a class, it has become a very bitter joke indeed for the masses of the Irish people. The hon. Member for North Armagh referred to a speech my hon. Friend the Member for the Scotland Division of Liverpool (Mr. T. P. O'Connor) delivered in America eight years ago, and said my hon. Friend declared for the total abolition of rent. I declare for the total abolition of rent. The whole Irish Party declare for the abolition of rent, and the curious part of it is that the Party opposite do the same, for what else does the Ashbourne Act, and £5,000,000 one year and £5,000,000 another, and the Land Purchase Scheme, involving £50,000,000 or £100,000,000, which will be introduced next year, mean? I wish to ask the hon. and gallant Member for North Armagh whether the hon. Member for South Tyrone is an accredited Member of the Unionist Party? The hon. and gallant Gentleman discloses a prudence incompatible with military dash in not answering the question. This morning there is reported in the *Times* a speech of the hon. Member for South Tyrone, in which he states as the first article of what he calls a constructive policy for Ireland the termination of dual ownership. What is that but the abolition of rent? Now, what is the genesis of the Plan of Campaign? The Chief Secretary for Ireland refused in 1886 to pass the Bill of the hon. Member for Cork (Mr. Parnell). He passed the Bill in a modified form next year. If he had passed that Bill, or founded any reasonable legislation upon it, at the time it was introduced, we should never have heard of the Plan of Campaign. If even in 1887 the right hon. Gentleman had inserted in his Bill any provision to liquidate arrears, if he had allowed the Court to deal equitably with arrears, arrears which according to the voluntary action of many landlords and the Judgments of the Courts were impossible and could not be collected, the Plan of Campaign would have come to a speedy end. That is the genesis of the Plan of Campaign. The tenants found themselves driven to desperation, they felt that their last chance was the Plan of Campaign, and they adopted it. I maintain that the responsibility for the Plan of Campaign and its sequel rests solely upon the shoulders of the right hon. Gentleman. But I claim for the Plan of Campaign, and I challenge the Chief Secretary to deny it, that it has led to many settlements. Landlords in Ireland by the dozen have admitted in the most practical way the justice of the Plan of Campaign by yielding to the demands of the tenants. Can the right hon. Gentleman say that in any case any landlord has ever declared the claims to be unjust, or has expressed regret for yielding to them? But that is not all. I claim that the demands of the tenants under the Plan of Campaign have in every case been justified—firstly, by reductions freely granted by many landlords in the same district to tenants under similar conditions, and secondly in the reductions granted in the Land Courts to tenants able to seek the intervention of these tribunals. I see that on the Munster estates of Lord Kenmare fair rents have been fixed on 19 holdings, and that the rents have been reduced from an aggregate of £577 to £430, a reduction of 25 per cent. Thus, Sir, what the hon. and gallant Member for North Armagh stigmatises as an illegal conspiracy stands justified in the most formal manner.

COLONEL SAUNDERSON: Will the hon. Member state the percentage taken off the rents of the tenants of the Corporation of Dublin, of which he is Lord Mayor?

MR. SEXTON: The Corporation of Dublin are forbidden by law to make abatements of rents; but when the Land Act passed, they not only gave every facility to the tenants to go into Court, but they actually extended that right to leasehold tenants. If the landlords of Ireland had followed the example of the Corporation of Dublin, the land

question would have settled itself. The reason why I think the policy of arbitration is one of urgent pressure, is because of the course being pursued in Ireland by the Government and the landlord party—a course which I think shows rather the temper of the game-cock than the prudence of the statesman. They are fighting the Plan of Campaign, and want to beat it; and as long as they think they are beating it, they care nothing for order or for peace. If that course of conduct be continued, evictions will be continued which will gravely imperil the public peace. What happened last week on this very Ponsonby estate? While some tenants were being evicted, a number of people assembled in an enclosed piece of land belonging to the parish priest and raised a cheer. Colonel Caddell ordered the police to break into the ground, which they did, and batoned from the ground the people to whom the parish priest had given permission to go there. I want to know whether in Ireland the mere fact of cheering entitled the police to break into that private ground. Canon Keller, in respectful language, complained to Captain Plunkett, who told him to go about his business. Captain Plunkett then gave an order to the police, who assaulted the priest in the presence of his congregation, and the Member in the presence of his constituents, by pushing them along the high road. I will mention another incident. Four girls, the daughters of a widow, had been evicted from their home. They were arrested, and were inside the lines of police, when a person named Crockett, who would appear to be some one of importance, as he was admitted inside the lines, asked one of the girls to kiss him. Colonel Caddell was standing by when the low-lived rascal made this proposal. Would anyone have blamed him if he had kicked that fellow out of the place, or at least rebuked him and placed him under arrest? Colonel Caddell, a magistrate in the execution of his duty, turned to the girl, and, pointing to some whitewash on the back of her dress, said, "You must have been kissing the police inside" — a vile insinuation. I denounce the conduct of Colonel Caddell as unmanly and disgraceful, and I say that he ought to follow Captain Segrave out of the Public Service. But why should we talk of subordinates when the responsibility rests upon the Minister who countenances, favours, and stimulates these blackguards? By his conduct the right hon. Gentleman (Mr. A. J. Balfour) proves himself to be not a friend, but an enemy of the public peace. Some time ago I endeavoured to induce the right hon. Gentleman to favour the method of arbitration and to use his influence on the Vandeleur estate, but he refused to say a single word to promote or encourage arbitration. The hon. Member for Canterbury (Mr. Henniker Heaton) told me a few days after that the landlord was disposed to arbitration, and the tenants on that, as on every other occasion, proved themselves ready to facilitate every offer of the kind. The hon. and learned Member for Hackney (Sir C. Russell) was named arbitrator, and the first result was that 26 tenants were restored to their homes, and the second result was that 500 tenants went in and paid their rents, not in consequence of the action of the Chief Secretary, but in spite of it. I admit that it was a most unpromising case. Many evictions had taken place on the estate, and many persons had been thrown into gaol; but the moment the landlord consented to arbitration everything was plain sailing, and the situation became tranquil. There was one case of an evicted tenant in which Colonel Vandeleur was anxious to come to a settlement and to restore him. But Colonel Turner, accompanied by Captain Welch, went to the house and urged the tenant not to settle with the landlord. So that Colonel Turner, at the critical moment of negotiations upon which depended the security of 500 tenants, interfered, not for the purpose of promoting peace, but to prevent it, just as if the right hon. Gentleman, having passed a Coercion Act, thought it necessary to provide work for it. Three years ago, and every moment since, the Archbishop of Dublin has applied his eminent abilities to induce the landlords to consent to arbitration. But he was told that his plea for arbitration was a cry for mercy, that the tenants were beaten, that they were driven to the wall, and that they would get law and nothing but law. A private agent of the Government, one who turns up at evictions when the hon. Member for Fulham (Mr.

Hayes Fisher) and the hon. Member for South Tyrone (Mr. T. W. Russell) are engaged in festive scenes, told a tenant the other day that the Plan of Campaign was beaten and that Dillon had not got enough money to bring him home from Australia. The right hon. Gentleman will be glad to hear that the mission of Mr. Dillon has turned out a splendid success, that the Plan of Campaign is not beaten, and that the tenants are not driven to the wall. Their claims are just; to those claims they will adhere, and they will win justice, if not with the concurrence of the right hon. Gentleman, without his consent and against his will.

THE CHIEF SECRETARY FOR IRELAND (Mr. A. J. BALFOUR, Manchester, E.): I am sorry that this debate upon certain important questions connected with Irish land was not destined to come to an end without being seasoned with some of the familiar calumnies against the Ministers of the law in Ireland. I do not propose to go in detail into the allegations made against Colonel Caddell and Colonel Turner. In both the stories which the right hon. Gentleman the Lord Mayor of Dublin (Mr. Sexton) has told, he has been utterly and entirely misinformed; and it would be well, before he gives currency to calumnies in this House, that he should take pains to acquaint himself with the truth of what he says.

MR. SEXTON: I have taken what I consider to be sufficient pains to ascertain the truth, and I have evidence which I will be willing to submit to the right hon. Gentleman if he so far departs from his usual course as to grant an inquiry.

MR. A. J. BALFOUR: I am perfectly willing to listen to any statement of the right hon. Gentleman, but he cannot have a Commission of Inquiry upon every subject. Leaving the personal questions which the right hon. Gentleman has thought fit to foist into the debate, and coming to the more general issues, it appears to me that in the course of the discussion to-night most of the old familiar fallacies with respect to the land question have been raised and aired afresh. The hon. Gentleman who initiated the discussion asked why I never replied to the argument that as there was an Arrears Act dealing with the crofters there ought to be an Arrears Act dealing with the Irish tenants. I have answered that question till I am sick of answering it. In the case of the Irish tenants, as in the case of the crofter tenants, this House determined in its wisdom that rents should be fixed by a legal tribunal. Holding that view they thought it right that the new system should be initiated by wiping off the old arrears which hung round the necks of the tenants. They did not adopt in the crofters' case, and they did not adopt in the Irish case, a policy which would involve the passing every five or six years of another Arrears Act, which would not only re-open all the old questions, but should wipe off not rents accruing before judicial rents became possible, but arrears which accrued after that period. That is a perfectly clear and definite statement. The case of the crofters and of the Irish tenants is, I grant, broadly speaking, on all fours, and when the hon. Gentleman again talks on this subject I hope, at all events, he will not say I have shirked the argument put forward, or was afraid to give him an answer which I believe is adequate and complete. Then the hon. Gentleman went on to state what, in one sense, is undoubtedly true—namely, that in Ireland the improvements are largely the work of the tenants, in a degree in which they are not the work of the tenants either in England or Scotland. I do not think it is so good a system as the English or Scotch system, but it is not a correct deduction to say that the tenants are the true owners of all the value of the soil which is not prairie value. I say the existing system of law, by which the tenant is amply protected, whether on eviction or on leaving his farm voluntarily, from losing any part of the value of his improvements, is the true system, and that the tenant has no right to the increment in the original value of the soil which is not due to his efforts. The third point is the conclusion that is to be drawn from the fact that the Irish Land Courts have lowered the rents of the Irish landlords. The hon. Gentleman, following in this case the bad example set him by many hon. Gentlemen who sit near him, stated that because the Irish Land Courts have reduced the rents 20 or 30 per cent, the Irish landlords were exacting before those deductions unjust rents. The hon. Gentleman must be perfectly aware that

coincidently with the passing of the Act of 1881 there was a large fall in the value of land in England, in Scotland, and in Ireland. In England and Scotland, where rents are not fixed by a Court, the lowering of rent was arranged by mutual agreement between landlord and tenant. In Ireland you provided a Court to carry out that operation; and because that arrangement is made, and because the results with regard to the lowering of rent have followed similarly to the results which have happened in England and Scotland, you hurl the monstrous calumny against the Irish landlords that they have been robbing their tenants. I hope hon. Gentlemen will no more accuse the Irish landlords of robbing their tenants because, in 1881-2-3 or 1884, the rents were lowered, than he would accuse the English or Scotch landlords of robbing their tenants because, in consequence of agricultural distress and the fall in prices, there has been a fall in the general value of land. This is a debate on the subject of evictions, and it appears to be assumed by all the speakers that the question of eviction is in a specially acute form at the present moment. It is nothing of the kind. There have always been evictions in Ireland, and there always must be evictions in any country where either land or house property exists, and where the tenants of either land or houses refuse to pay their rents. That proceeding necessarily ends in eviction, whether it be in England, in France, in Germany, or in America. But hon. Gentlemen are greatly mistaken if they think that this difficulty is in a specially acute form. The hon. Gentleman appeared to think that since 1886, when this Government came into office, there had been a special number of evictions, meaning by that the process by which a man is turned out of his home. I find, however, according to the best calculations, that the number from 1882 to 1884 inclusive was 6,887, and that in 1886-88 inclusive, the corresponding three years of the present Administration, the number was 3,951.

*Mr. J. E. ELLIS: Has the right hon. Gentleman included the notices under Section 7 of the Land Act, 1887, which, as he well knows, have the force of eviction?

Mr. A. J. BALFOUR: When I talk of evictions I mean evictions—namely, the tenants being turned out on the roadside, that process with regard to which the feelings of the people of England are stirred by hon. Gentlemen's rhetoric, and I say that the number of evictions in these years under the administration of the right hon. Gentleman the Member for Mid Lothian was nearly double the number in three years under the present Government. I hope nobody will infer that I attribute any blame to the right hon. Member for Mid Lothian. I do not, of course. Just as I am not to blame for evictions, so he is not to blame for the evictions which took place under his administration. But let it be understood that this difficulty of evictions is not in a specially acute form at present; on the contrary, it is far less acute than when the right hon. Gentleman the Member for Mid Lothian was in office. Almost all the difficulties we have in regard to evictions are on the Plan of Campaign estates. The chief specimen of a Plan of Campaign estate which has been brought under the notice of the House to-night is that of the Ponsonby estate, and we have had a great deal of bandying backwards and forwards of figures on this subject. It appears to me that the facts are very simple. No human being can deny that Mr. Ponsonby had a perfect right to dispose of the estate as he pleased. The question is not whether Mr. Ponsonby had or had not the right to sell his estate. The only question is whether the new owners of it are or are not dealing harshly with their tenants. On that essential point there is not a shadow of justification. I will just remind the House, as it is now a good deal fuller than it was when the hon. Member for South Hunts spoke, of the broad aspects of the case. These tenants owe four years' rent. They have not, broadly speaking, paid 6d. of rent for four years. The landlord is prepared to accept in the case of non-judicial tenants one year's rent, less 20 per cent down, and to capitalize the remainder at 3 per cent. But the right hon. Gentleman says that it is capitalized on unjust arrears. Well, if they are unjust arrears, why did not the tenants go into Court? [*Cries of* "Leaseholders."] There are leaseholders, and there are judicial tenants, but it is not necessary to decide that point, and I will give the

House reasons that will even permeate the mind of the hon. Member for the Rushcliffe Division (Mr. J. E. Ellis). The landlord has offered all those tenants to go into Court, and make the reductions of the Court retrospective. So that not only are the arrears to be capitalized at the rate of 3 per cent, which is in itself a most generous proposal, as the hon. Member opposite will admit—if he is the owner of cottage property I do not know whether he would always be prepared to accept arrears in this capitalized form—but the arrears are not unjust arrears; they are arrears the amount of which is practically determined by the decision of the Land Court. The only pretence to argument that I have heard against the justice of this proposal is that Griffith's valuation is lower than the rents. This is a little excusable from the hon. Member for the Rushcliffe Division, but it is not what I should have expected from the Lord Mayor of Dublin (Mr. Sexton). The right hon. Gentleman knows perfectly well that Griffith's valuation, speaking generally, is not a test of rent. Sometimes it is far too low; but it was never intended to represent the full letting value of the holding. It was supposed to be a third less than the letting value. ["No, no!"] It was always intended to be a good deal less than the letting value. ["No."] To that statement I adhere; but, apart from that, the conditions of agriculture have so changed—[Mr. SEXTON: For the worse]—in Ireland, sometimes for the worse and sometimes for the better, that in no part of Ireland is it ever safe to take Griffith's valuation as a fair test for the proper rent. This is a commonplace, and I have heard that very fact brought forward by the Irish Party, when it happened to tell in their direction, though we might have Griffith's valuation urged against the justice of the proposal for the Ponsonby estate. The most vehement invective has been brought against my hon. Friend the Member for South Hunts because he, not being the landlord but a stranger to the estate, has chosen to mix himself up in its affairs. I am amazed that that argument should be used by hon. Gentlemen. What have they got to do with the estates in which they mix themselves up? Does the right hon. Gentleman wish to make this House believe that the Plan of Campaign is, as a rule, the spontaneous act on the part of the tenants of the various estates?

MR. SEXTON: Certainly. [*Cries of* "Yes," *laughter, and* "What do you know about it?"]

MR. SPEAKER: Order, order!

MR. A. J. BALFOUR: The right hon. Gentleman corrects me; he thinks the action has been spontaneous on the part of the tenants. All I can say is that their spontaneity is shown in a very singular manner. We have the tenants loudly-promised support out of the Central Land League funds. I am not aware that it is either a tenant or a landlord; this organization is a stranger which promises support to the tenants. They send down a gentleman expert in the art of fortification to arrange for the defence of the holdings. Is that a spontaneous act on their part? Is that leaving each estate to manage its own affairs?

MR. SEXTON: It may follow spontaneous action.

MR. A. J. BALFOUR: I think the right hon. Gentleman will hardly get the House to believe that. We know well enough that directly the tenants of any estate show the slightest desire to abandon the Plan of Campaign, some hon. Member goes down to make a violent speech denouncing those persons as traitors to the national cause, using language which, however it be intended, is on the spot interpreted as an inducement to intimidation and outrage. Am I to be told that estates on which this is done are acting spontaneously? And how am I to reconcile this supposed spontaneity on the part of the tenants with what we know of tenants going to pay their rent secretly to the agent and every device being adopted by those persons who wish to be honest, but dare not be honest in the face of day, in order to break loose from that disgraceful and illegal conspiracy—the Plan of Campaign? The right hon. Member for Mid Lothian, in one of the speeches he recently made, appeared to give his hearers to understand that never before in his experience had there been so long a series of painful details connected with evictions in Ireland. I have told the House that the numbers of evictions are fewer by far now than they were in the time of the right hon. Gentleman him-

self, and if there are painful details who is responsible? It is those who organize from a distance those elaborate scenes. It is those who send out orators to inveigh and intimidate. It is those who send out agents to barricade and organize resistance. They are the people who are responsible for the long series of painful incidents in which I agree with the right hon. Gentleman in deploring. The time at my disposal has elapsed. The Lord Mayor of Dublin told the House that the landlord had the law on his side, but that the tenants had no law on their side—that they were not protected. The Irish tenants are protected as no tenants in the world are protected. The law which protects their interests is a law more detailed, more elaborate, more carefully contrived to protect every interest they have than the law of landlord and tenant in any other civilized country of the world. The hon. Member (Mr. J. E. Ellis) told us tenants were robbed of their improvements. Their improvements are protected by every conceivable method. If they leave voluntarily, or if they are evicted, it is the tenants' fault alone if they do not get compensation for the improvements they or their predecessors in title have made on the farm. That their rents are not unjust is the proud boast that hon. Gentlemen opposite have made of their legislation. Are they then not protected in the matter of evictions? We have had a debate of nearly four hours, and I have hardly heard an allusion to Clause 30 of the Act of 1887. Under that clause every single tenant who has been threatened with eviction or has been evicted since the month of August, 1887, nearly two years ago, has the right——

*Mr. J. ELLIS: Not over £50, which was the case with the instances I quoted.

Mr. A. J. BALFOUR: With holdings under £50—that is, the enormous mass of the tenants—can before actual eviction apply to the Court to have eviction stayed and to have their arrears spread over, if necessary, an indefinite number of years [*Cries of* "No."] over any number of years the Court may think fair. In a recent case they were spread over ten years. ["Never before."] It is in the power of the Court. I am talking of the law. They have a righ to go to the Court, and the Court ca n spread the arrears over any period it likes. These are privileges no other tenants in the world have got, and if they have not availed themselves of them the reason is that they have been ill-led, that it has been thought more profitable for a Political Party to have evictions in Ireland than to let the tenants feel that they owe to a Conservative Government their protection from harsh and capricious eviction. Now, what is the present proposal? The Front Bench opposite have not informed the House of their views on the subject. Do they desire that the law shall be inforced? Silence—I perceive they do desire that the law should be enforced. All that we are doing is to enforce the law, and what, therefore, is the complaint against us? We have been told by the hon. Member for North Dublin and by the right hon. Gentleman the Lord Mayor of Dublin that the system of purchase is the true remedy. In that they agree with us. That has long been my creed, avowed in this House many years ago, before I thought I should have anything to do with the practical government of Ireland; but how is a purchase scheme or any other plan to succeed if you teach the tenants of Ireland they may settle their own terms by illegal combination and if you denounce every attempt to enforce the law? This will not only be fatal to a settlement of the land question, not merely unjust to landlords, but it will carry a curse with it that will make absolutely impossible or barren of any good result any effort this House may subsequently make to substitute some better system of land tenure than that which now unhappily prevails in Ireland.

The House divided:—Ayes 248; Noes 178.—(Div. List, No. 150.)

Main Question proposed, "That Mr. Speaker do now leave the Chair"

Motion, by leave, withdrawn.

It being after One of the clock, Mr. Speaker adjourned the House without Question put.

House adjourned at ten minutes after One o'clock till Monday next.

HANSARD'S
PARLIAMENTARY DEBATES.

No. 6.] FIFTH VOLUME OF SESSION 1889. [JULY 2.

HOUSE OF LORDS,

Monday, 24th June, 1889.

REPRESENTATIVE PEER FOR IRELAND.

Earl of LISBURNE's claim to vote for Representative Peers for Ireland—Ordered and Directed, that a Certificate be sent by the Clerk of the Parliaments to the Clerk of the Crown in Ireland, stating that the Lord Chancellor of the United Kingdom has reported to the House of Lords that the right of the Earl of Lisburne to vote at the elections of Representative Peers for Ireland has been established to the satisfaction of him the said Lord Chancellor; and that the House of Lords has ordered such Report to be sent to the said Clerk of the Crown in Ireland; and it is hereby also Ordered, that the said Report of the said Lord Chancellor be sent to the Clerk of the Crown in Ireland.

COMMISSION.

The following Bills received the Royal Assent:

Horseflesh (Sale for Food).

Town Police Clauses Act (1847) Amendment.

Assizes Relief.

Purchase of Land (Ireland) Acts Amendment.

Waltham Abbey Gunpowder Factory.

TELEGRAPHS (ISLE OF MAN) BILL.

Brought from the Commissioners; read 1ª; and to be printed. (No. 113.)

INTERPRETATION BILL. (No. 92.)

THE LORD CHANCELLOR: My Lords, in moving the Second Reading of this Bill, I may state that its object is to enable the Courts to do that which is daily becoming more difficult—namely, to carry further the uniformity of interpretation of the forms used in Statutes, instances constantly occurring of different meanings being given to the same Act of Parliament.

Bill read 2ª (according to order), and committed to the Standing Committee for Bills relating to Law, &c.

THE CONDITION OF CRETE.

QUESTIONS—OBSERVATIONS.

*LORD COLCHESTER: My Lords, I have to ask if Her Majesty's Government have any official information as to the alleged disturbances in Crete, or as to difficulties having arisen in the working of the organic statute? My Lords, my object in asking this question is rather to allay, than to excite, any apprehension, as to the recent intelligence will reference to the Island of Crete. Ten years ago the noble Marquess was able to state that, except in a small district claiming special privileges, there was general satisfaction with the constitution, whose establishment was so largely owing to the efforts of the British Consul. Since that time, very little has been heard in this country of the affairs of Crete, which are now exciting much attention. Owing to the smooth working of the constitution, the results have, so far, promised better; but unhappily, on all sides, there is dissatisfaction with the present condition of things. Some of your Lordships may have seen the account given

by the correspondent of the *Times*, of the disputes which have occurred. It is clear that any great disturbance in that island lead to interference by Foreign Powers, which might have a serious effect on the Turkish Government. I have no doubt that the representatives of Great Britain in that country will keep Her Majesty's Government informed of the condition of matters, and I trust the noble Marquess will be able to state to your Lordships that these difficulties are likely before long to be solved peacefully, and that the constitution which promised so much for good, is not likely again to be imperilled.

THE MARQUESS OF SALISBURY: My Lords, in the first place, I may say with reference to the reports to which my noble Friend has alluded, as to the intentions of annexing Crete, in whole or in part, attributed to various Powers, that they are, as far as I know, absolutely without foundation; I have never heard any suggestion of the kind. My noble Friend is quite right in saying that Her Majesty's representatives watch all that passes in the island with very great care and vigilance, and, I may add, with something more than vigilance. I think that the judgment and assiduity with which our Consul's delicate duties are performed have much to do with that island being able to surmount many of the difficult crises in its constitutional existence. The present state of things is happier and more promising than it was a short time ago. There is, I believe, now no ground for apprehending that any crisis of a serious kind will arise. Very violent dissensions have sprung up from time to time, not confined to the walls of the Assembly, and it sometimes seems as if the fabric of society in Crete would be shaken to pieces. But hitherto the judgment and good sense of the leaders of that country, and I am bound to say also the judgment with which the Governors appointed by the Porte, have discharged on the whole their difficult task, has prevented those violent dissensions from ever coming to a dangerous head. I agree with my noble Friend that anything like the appearance of anarchy in that island would be a matter of concern not merely to its inhabitants and the Turkish Empire, but would also raise questions of some difficulty and serious concern to all who are interested in European peace. The cause of the differences is not entirely attributable to party spirit. There is no doubt that the Assembly is divided into parties which are bitterly opposed to one another, but those parties represent something more than what are ordinarily called political parties. They represent the dissensions of two sections of the community, separate and antagonistic in race, in creed, and in long tradition and we must not expect that that antagonism will be allayed until some generations have passed away. A representative institution can hardly have fair play except in a community which is thoroughly homogeneous, and I am afraid some time must elapse before that can be said of the community of Crete.

Lord Colchester

House adjourned at a quarter before Five o'clock till to-morrow a quarter past Ten o'clock.

HOUSE OF COMMONS,

Monday, 24th June, 1889.

MR. SPEAKER'S INDISPOSITION.

The House being met, the Clerk at the Table informed the House of the unavoidable absence of Mr. Speaker, owing to indisposition.

Whereupon Mr. Courtney, the Chairman of Ways and Means, proceeded to the Table, and, after Prayers, took the Chair as Deputy Speaker, pursuant to the Standing Order.

EAST INDIAN FAMINE FUND.

Ordered, Address for Return showing the precise purposes to which the Famine Insurance Fund has been applied in each year since the Fund was established.—(*Mr. Bradlaugh*)

QUESTIONS.

THE METROPOLITAN POLICE.

MR. HOWARD VINCENT (Sheffield, Central): I beg to ask the Secretary of State for the Home Department if, having regard to the enormous con-

centration of population in the Metropolis, the extreme daily demands upon the barely adequate police force in the several districts, and the difficulty of accurately foreseeing the sudden claims which frequently arise for an immediate but temporary reinforcement of local strength owing to the collection of unexpected crowds, he will consider the desirability in the public interest of the Metropolitan Police being so augmented as to allow of a strong reserve of selected officers and constables being always held in readiness at Scotland Yard, or other central station, to proceed at once, upon the need arising, by suitable conveyances to the point of special emergency?

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. MATTHEWS, Birmingham, E.): I have consulted the Commissioner of Police on this matter, and I concur with him in thinking that the suggestion of my hon. Friend is not one which it is desirable to carry out. The experience of the Police Authorities does not show that under ordinary circumstances such reserves are needed, and when on any special occasion the police have to arrange for the management of crowds, they are careful to have reserves as a necessary part of their arrangements. I would also remind my hon. Friend that, by means of the improved telegraphic system, bodies of police can be rapidly collected in cases of sudden need.

ARMY CHAPLAINS.

MR. CAINE (Barrow): I beg to ask the Secretary of State for War, if his attention has been called to an article in the *Nonconformist* of 13th June, stating

"there are many British soldiers stationed at Colombo, and the Government pay the chaplain so much per head if they be Roman Catholics, Presbyterians, or Churchmen; but there are many who attend the Baptists, and the Government refuse to pay for them";

is there any truth in this statement; is it the case that in India the capitation grant is paid to Baptist, Wesleyan, and other Nonconformist ministers whose places of worship are used by soldiers; and, will he give instructions that all religious denominations in Ceylon shall be placed on an equal footing?

*THE SECRETARY OF STATE FOR WAR (Mr. E. STANHOPE, Lincolnshire, Horncastle): According to both the British and Indian regulations payments are made to Church of England, Roman Catholic, Presbyterian, and Wesleyan Clergymen. The numbers of troops of other denominations are not considered sufficient to justify payment, as taken together they only amount to six per 1,000.

IRELAND—THE TIPPERARY BOARD OF GUARDIANS.

MR. T. W. RUSSELL (Tyrone, S.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether, on or about the 1st of April last, the Local Government Board forwarded a sealed order to the treasurer of the Tipperary Board of Guardians, ordering him to pay over forthwith to the Commissioners of National Education the results' fees due by the Board of Guardians to the teachers of the Tipperary Union for the year commencing 1st of April 1888; whether such results' fees have since been paid; if not, what was the amount then due by the Board to the treasurer; how much has since been lodged by the collectors with the treasurer; and, if the treasurer has honoured the Board's cheques for other purposes of the Union out of the funds since lodged by the collectors, in contravention of Section 9 of the National School Teachers (Ireland) Act?

THE CHIEF SECRETARY FOR IRELAND (Mr. A. J. BALFOUR, Manchester, E.): The sealed order mentioned was forwarded on the 3rd instant. The amount assessed on the Union, £1,100, has not yet been paid over by the treasurer to the credit of the Commissioners of National Education. It appears that the Guardians were, at the time that the order was received, in debt to their treasurer to the extent of £1,046, and that although £792 has since been lodged by the collectors to the credit of the Union, the Guardians are still in their treasurer's debt. It further appears that no cheques have since been cashed except for outdoor relief. It does not appear that since the sealed order was forwarded there have been any funds lying in the hands of the treasurer to the credit of the Union within the meaning of the 9th Section referred to by the hon. Member. The Guardians hope to be in a position to pay the amount assessed for results' fees within a month.

THE THAMES EMBANKMENT POLICE OFFICES.

MR. BROADHURST (Nottingham): I beg to ask the Secretary of State for the Home Department whether he is now in a position to give any further information with regard to the system of sub-contracting which is in operation at the new Police Offices under construction on the Thames Embankment?

MR. MATTHEWS: Yes, Sir. I have made further inquiry into this matter, and am informed by the Receiver of Police that he has approved of an arrangement made by the contractors by which a portion of the stonework is being done by a Mr. Webber, who is paid the full price of the work, so that there is no inducement to give it all to him. He was a working mason himself; he does no piecework and sublets nothing. His men are paid full day wages, are quite content, and are good workmen. With regard to the alleged sub-letting of the fixings, this work is done under the supervision of a leading man or ganger, who is paid day wages, and is liable to dismissal at an hour's notice.

THE LANCASHIRE AND YORKSHIRE RAILWAY COMPANY.

MR. BROADHURST: I beg to ask the President of the Board of Trade whether his attention has been called to the following circular, which has been issued by the Lancashire and Yorkshire Railway Company:—

"The Directors have ordered that, in the event of patents being taken out by officers or servants of the company, the company is to be at liberty to use the inventions free of charge, unless the Directors should in any special case decide otherwise.

"Please sign and return to me the attached orm, stating that you agree to these terms."

And whether railway companies are legally empowered to compel their servants to surrender to them such rights as those set forth in the circular; and, if not, whether he will take steps to inform the Lancashire and Yorkshire Railway Company of the fact?

*THE PRESIDENT OF THE BOARD OF TRADE (Sir M. HICKS BEACH, Bristol, W.): I have communicated with the company, and learn that it has been for many years the rule of the company to make it a condition in the engagement of officers that any patents which they may take out while in the service shall be free for the company's use if the company so desire; the motive of the directors being to control, if possible, the use by officers in workshops of the company's plant and time in experimenting for their own benefit. The condition is a condition of employment, and is the subject of contract, with which I have no power to interfere.

THE ROYAL ARSENAL GAS FACTORY.

MR. CUNINGHAME GRAHAM (Lanarkshire, N.W.): I beg to ask the Secretary of State for War whether he is aware that the stokers in the Royal Arsenal Gas Factory work on an average 81 hours per week, and receive pay at the rate of 5d. an hour, whether in the day or night; that they have to wheel their coke in the open air for a distance of 50 yards in all weather while in a very high state of perspiration; that the lobby in which the men have to change their clothes and take their meals has an open cesspool in the corner, is insufficiently ventilated, and often filled with sulphurous fumes; and, whether he will take steps to reduce the hours that the men have to work at this exhausting labour to eight per day, to have a covered way erected for their protection when wheeling, and to have a new and properly-ventilated lobby built wherein the men can take their meals?

*MR. E. STANHOPE: The stokers in the gas factory are paid for 12 hours a day for six days a week, which includes time for meals and resting between the draws or heats. Their hours do not exceed those of the ordnance factories generally. The coke has to be wheeled some 30 to 50 yards in the open air, but not necessarily when the men are in a high state of perspiration. A covered way would be useless, as the coke has to be spread over a wide area. There is no cesspool in the lobby referred to, and it is fairly ventilated, but, being close to the retorts and purifiers, the smell of the gasworks occasionally enters. I am informed that a reduction in the hours of labour would be against the custom of the trade, and that it would be resented by the men at the present rate of wages.

MR. C. GRAHAM: Is the right hon. Gentleman aware that there is an agitation going on among the men at

this moment in favour of a reduction of their labour; that the men have to leave the furnaces and to go into the open air while in a high state of perspiration? May I ask further what are the ordinary hours of labour per day in the gas factory?

*MR. E. STANHOPE: Including the intervals for rest, I believe that the hours of labour are 12.

GIBRALTAR.

ADMIRAL MAYNE (Pembroke and Haverfordwest): I beg to ask the First Lord of the Admiralty whether, considering the immense importance of Gibraltar to the Navy, Naval Officers were consulted as to the position and nature of new guns to be placed there; and, if so, whether they are in accord with the Royal Engineers on the subject?

THE FIRST LORD OF THE ADMIRALTY (Lord G. HAMILTON, Middlesex, Ealing): Naval opinion has been fully consulted as to the position and size of the guns to be placed at Gibraltar, for the Secretary of State for War has been anxious to obtain a full expression of opinion from Naval Officers before he decided the nature, size, and position of the armaments to be provided in any of the maritime stations under his control.

POST OFFICE SAVINGS BANK DEPOSITS.

MR. HOWELL (Bethnal Green, N.E.): I beg to ask the Postmaster General whether his attention has been called to the application made by the Steam Engine Makers' Association more than two months ago to be allowed to deposit certain funds in the Post Office Savings Bank separately, as a separate fund, to be used for the superannuation of aged members; and, whether consent has been given for the investment of the funds of this society as applied for; and, if not, whether he will state the reasons for the refusal?

*THE POSTMASTER GENERAL (Mr RAIKES, University of Cambridge): The application to which the hon. Member refers has been before me, and in reply to his question I can only state, as I stated in answer to a similar question which he addressed to me on the 19th March, "that the Savings Bank Regulations do not permit any person or society to have more than one account." Although, as I stated on the former occasion, for my part I can see no reason why this rule should not be relaxed in the case of any society empowered to deposit funds without limit in the Savings Bank; and I may repeat that when the Regulations of 1888 were under consideration, I was anxious to make such exemption.

PLEURO-PNEUMONIA.

MAJOR RASCH (Essex, S.E.): I beg to ask the Chancellor of the Exchequer whether, with reference to the recent outbreaks of pleuro-pneumonia in Essex and elsewhere, he will take into consideration the petition so frequently made that compensation for slaughter be paid out of the Consolidated Fund?

*THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN, St. George's, Hanover Square): The hon. Member must be aware of the extreme difficulties which beset the payment of compensation out of a central fund—difficulties which no Government has yet seen its way to surmount. I am not unaware of the arguments in favour of such payment, but I cannot but be alive at the same time to the very strong consideration on the other side.

MAJOR RASCH: May I ask if it is not the case that compensation is paid for cattle compulsorily slaughtered under the Cattle Plague Act, and, if so, why should not animals suffering from pleuro-pneumonia and compulsorily slaughtered be placed on the same footing?

*MR. GOSCHEN: I must ask the hon. and gallant Member to repeat the question upon some other day.

THE NATIONAL PORTRAIT GALLERY.

MR. W. G. C. BENTINCK (Penrhyn and Falmouth): I beg to ask the First Commissioner of Works if his attention has been called to a triangular piece of building ground, now the property of the London County Council, which if built upon will shut out the view of the principal frontage of the new National Portrait Gallery facing Charing Cross Road; and whether he will endeavour to acquire this vacant piece of building land from the London County Council and convert it into an open space?

THE FIRST COMMISSIONER OF WORKS (Mr. PLUNKET, University of

Dublin): I agree with my right hon. Friend as to the desirability of keeping open the triangular piece of ground referred to in his question; and I should hope that the County Council of London will not suffer the fine effects produced by the formation of the Charing Cross Road to be marred by the erection of buildings upon the vacant space, especially as the façade of the new National Portrait Gallery on that side will, I trust, if left fully open to view, add a handsome feature to the great improvement they, or rather their predecessors, have made.

THE MALL.

MR. W. G. C. BENTINCK: I beg to ask the First Commissioner of Works, as Constitution Hill has now been partially opened for light traffic, whether he will be able to open the Mall through to Charing Cross; and, if he is unable at present so to extend the Mall, whether a temporary road could be made through Spring Gardens for the passage of light traffic direct from Hyde Park Corner to Charing Cross?

MR. PLUNKET: It was one of the recommendations of the Committee which reported upon the Admiralty and War Office sites in 1887 that the Mall should be opened into Charing Cross; and, as I have on several occasions explained to the House, I hope that, so soon as the contemplated additions to the Admiralty shall have made sufficient progress, their recommendations will be carried out; but the houses which it would be necessary to remove in order to effect this improvement are at present occupied by branches of the Admiralty which could not be lodged elsewhere without considerable additional expense.

THE NAVAL REVIEW.

CAPTAIN SELWYN (Cambridge, Wisbeach): I beg to ask the First Lord of the Admiralty whether any, and, if so, what, guns are intended to be mounted on board any ship during the forthcoming review or manœuvres without first having been proved; what guns will be taken from one man-of-war and mounted in another; and what guns will be provided from the land service stores for temporary use on board ship?

*LORD G. HAMILTON: There will be present at the inspection at Spithead, on August 8, 29 armoured vessels, in addition to cruisers and coast defence vessels, gunboats, and torpedo vessels. All the guns on board these ships will have passed their final proof, except three 13½-in. guns mounted on the *Howe*. These guns will, after the manœuvres, be returned for their final inspection. These guns have been mounted in order that their gunnery fittings on board ship may be tested and completed at once, and that the ship may have her sea-going qualities with all her weights on board thoroughly tried at the forthcoming manœuvres. One 9·2-in. gun belonging to the gunnery establishment at Portsmouth will be mounted in the *Galatea* pending receipt of the gun allotted to that vessel. No guns will be provided from land service stores for temporary use on board ship.

SIR SAMUEL WILSON (Portsmouth): May I ask the First Lord of the Admiralty whether the Engineer students will have facilities afforded them for seeing the Naval Review or evolutions at Portsmouth, on 5th August?

*LORD G. HAMILTON: The manœuvres will take place on Saturday the 3rd, and not on Monday the 5th of August as previously announced. As the Engineer students are at Devonport, I do not propose to make any provision for their accommodation.

MR. D. HARTLAND (Middlesex, Uxbridge): I wish to ask the First Lord of the Admiralty whether the Department will place a vessel at the disposal of Members of the House of Commons and their wives, in order that they may witness the manœuvres?

*LORD G. HAMILTON: I have not yet received such a request on this subject as would make it possible for me to give an answer. All I can say is that if there is any general desire for an arrangement similar to that which prevailed on the last occasion of an assemblage of the Fleet, I will give it my best consideration.

THE NAVAL ENGINEERING STAFF.

MR. HANBURY (Preston): I beg to ask the First Lord of the Admiralty what proportion of the engineering staff now at the Admiralty have had any considerable sea-going experience; and, how many have had three years' service

in a ship of war at sea on any Foreign station?

*LORD G. HAMILTON: The engineering staff of the Admiralty consists of 13 members. Of these, four are civilians, the remaining nine are naval officers. Of these, three have served over three years in a ship of war on foreign stations; three have considerable service, ranging from 2½ to 4½ years of sea service; the remaining three have only short experience. The whole of this staff are constantly attending the steam trials of Her Majesty's ships.

THE NATIONAL SCHOOLS AT GALLEYWOOD.

MR. BROADHURST: I beg to ask the Vice President of the Committee of Council on Education whether his attention has been called to the fact that the scholars attending the National Schools at Galleywood, near Chelmsford, were warned by the vicar and the schoolmistress against attending a tea meeting at the Primitive Methodist Chapel in the parish, on Good Friday last; that the scholars intending to go to the tea meeting were asked to hold up their hands, and upon one doing so he was publicly punished in the school; and, that a female monitor was dismissed from her position at the instigation of the vicar for disobeying his warning; and, whether he will take such steps as will prevent a repetition of such conduct on the part of the school authorities?

THE VICE PRESIDENT OF THE COUNCIL (Sir W. HART DYKE, Kent, Dartford): I am informed on inquiry that the schoolmistress was requested by the vicar to use her moral influence to prevent the children taking part in the tea meeting, as inconsistent with the due observance of Good Friday, and that the scholar referred to was punished by being made to stand up in his class for laughing in a loud insolent manner at what she was saying. I think that so far as the intimation conveyed to the children is concerned the vicar exceeded his power as the manager of a public elementary school; but the dismissal of the monitress, who was not recognized by the Department as a secular teacher, was due to arrangements made by the vicar with regard to religious instruction, and therefore outside the cognizance of the Department.

DARTMOUTH POST OFFICE.

MR. SEALE-HAYNE (Devonshire, Ashburton): I beg to ask the Postmaster General whether it is intended, for the purpose of building a new Post Office at Dartmouth, to pull down one of the houses of the old Butter Walk, an ancient and well-known row of buildings of great interest and beauty; and, whether it is possible to find a site for the new Post Office elsewhere?

*MR. RAIKES: The Post Office premises at Dartmouth are provided not by the Department but by the Postmaster, who has submitted a scheme, which is under consideration, for providing a new office not in the Butter Walk, but on the South Parade.

ALDERNEY BREAKWATER.

MR. SHAW LEFEVRE (Bradford, Central): I beg to ask the First Lord of the Admiralty what works it is intended to execute out of the five thousand pounds voted for Alderney; whether it is intended to repair Alderney Harbour, and at what total cost; whether it is the fact that for many years past the harbour has been practically abandoned and no money expended upon it; and whether any Report has recently been made upon the harbour and upon the probable annual cost of maintaining and repairing it?

*THE CIVIL LORD OF THE ADMIRALTY (Mr. A. BARTLETT, Sheffield, Eccleshall): It is intended to execute the ordinary repairs connected with the inner breakwater which, since 1875, have cost £3,380 to £5,200 a year according to the damage done by the weather. The answer to the second question is, No. In 1875 it was decided to abandon the outer 600 yards of the breakwater, but to keep the inner 1,000 yards in repair. The reason for this decision being that the outer portion was very expensive to keep in repair, and it did not materially increase the safety of the anchorage. This decision has been carried out. The inner length has been kept in repair, but the outer portion has disappeared below the surface.

POLICE—INSPECTOR HELSTON AND SERGEANT ENRIGHT.

SIR EDWARD GREY (Northumberland, Berwick): I beg to ask the

Secretary of State for the Home Department whether his attention has been called to the fact that at the trial of Green and King for dealing in stolen goods at the Old Bailey in May, Sergeant Enright, in the presence of Inspector Helston, stated that these men when arrested were driving about in a cart with no name and address on it, which was provided by Inspector Helston intentionally without name and address, and whether Enright's depositions were read over and signed by him; whether he is aware that the principal witness against Green and King was one Panther, who has served 18 months and two periods of seven years' imprisonment; that Inspector Helston employed Panther and swore that he always paid him when so employed; that Panther swore that Helston had never paid him a farthing; that Helston swore that he knew Panther had been convicted when he employed him, but did not inquire for what offence, or what Panther's sentence had been; and, whether he intends that Enright and Helston should retain their positions in the Force?

MR. MATTHEWS: The facts are substantially as stated in the first four paragraphs of the question. Helston swore that he knew as a matter of fact that Panther had been convicted, but had no personal knowledge concerning this conviction. The answer to the last paragraph is in the affirmative. The two officers in question did not exceed their duty, and have been commended by the Commissioner for the skill with which they tracked and detected the two burglars.

DISCHARGED DOCKYARD LABOURERS.

MR. BRADLAUGH: I beg to ask the First Lord of the Admiralty whether he is aware that George Howell was recently summarily discharged from Portsmouth Dockyard, after 13 years' service, with good character; whether workmen discharged on reduction are entitled to a gratuity; whether a gratuity has been refused to George Howell; and, whether he will state the reason for such refusal?

*LORD G. HAMILTON: It is not the case that George Howell has been summarily dismissed from Portsmouth Dockyard. He asked for his discharge from the yard, preferring to leave rather than comply with certain established rules in force in his workshop. The officer of the yard had no wish to discharge him.

UNMARRIED SERGEANTS.

COLONEL NOLAN (Galway, N.): I beg to ask the Secretary of State for War what is the present lodging allowance to unmarried sergeants, who are studying or learning operations in connection with gunnery at Woolwich; and, will he investigate as to whether sergeants, who are refused admittance to barracks, are receiving a sufficient allowance to pay for a room, fuel, and light at Woolwich?

*MR. E. STANHOPE: The rate of lodging allowance to unmarried sergeants who are studying or learning operations in connection with gunnery at Woolwich is 4d. a day. No complaint has been received that the amount is insufficient.

INCOME TAX COMMISSIONERS.

MR. COBB (Warwickshire, S.E., Rugby): I beg to ask the Chancellor of the Exchequer whether he his aware that in some districts the names of the additional Commissioners of Income Tax (appointed by the General Commissioners under the 5 and 6 Vic., c. 35) are unknown to the income tax payers in the district, although the returns of income of such taxpayers are laid before the additional Commissioners, and they advise the Surveyor of Taxes as to making surcharges; whether he is aware that in some districts the additional Commissioners are actually engaged in trade in the district, and thus have before them the income tax returns of their competitors in trade, without such competitors' knowledge; whether he is aware (as an instance) that, in Rugby, two out of the three additional Commissioners are Mr. Thomas Beasley, who is now carrying on the trade of a butcher, and Mr. Arthur Chamberlain, who is now carrying on the trade of a chemist, and that hardly any of their neighbours or competitors in trade, who are income tax payers at Rugby, are aware, or have any means of knowing, that their income tax returns come before these Commissioners, or that any additional Commissioners have been appointed by the General Commissioners; whether, looking to the fact that the names of the General Commissioners,

the Assessors, and the Surveyor of Taxes are all known to the taxpayers, there is any advantage to the public service in a system which, in some cases, practically keeps secret the names of the additional Commissioners, and the fact of their appointment; and, whether he will take any steps to cause the names of all additional Commissioners to be made public, and to prevent, in the future, the appointment, as Commissioners, of those who are competing in trade with other taxpayers?

*MR. GOSCHEN: The income tax assessments under Schedule D are made by the additional Commissioners, appointed by the general Commissioners for this purpose or selected by the general Commissioners from their own body. The general Commissioners are appointed by the Land Tax Commissioners for the county in which they act, and the Board of Inland Revenue and the Government have nothing whatever to do with their selection. The Legislature seems purposely to have taken the matter out of the hands of the Government, and to have placed it in the hands of local people and men of business. If this involves the inconvenience to which the question of the hon. Member is directed, it was considered on the other hand to be a protection against any pressure on the part of Government officials. It is not the fact that Income Tax Commissioners advise the Surveyor of Taxes as to making surcharges. With regard to the names of the additional Commissioners not being known to the taxpayers, there is nothing in the Income Tax Acts requiring them to be published, and I have no authority in the matter. All persons liable to assessment under Schedule D may, if they think fit, elect to be assessed by the Special Commissioners in London, in which case their returns and assessments are withdrawn from the jurisdiction and knowledge of the local Commissioners.

THE COMMITTEE ON PRISON RULES.

MR. SHAW LEFEVRE: I beg to ask the Secretary of State for the Home Department whether the Committee on Prison Rules, presided over by Lord Aberdare, has reported as yet; whether its Report is to himself, or to the Chief Secretary to the Lord Lieutenant; and whether the Report will be circulated among Members before the Prisons Votes for England and Ireland are taken?

*MR. A. J. BALFOUR: My right hon. Friend has requested me to answer the question. The Report has been furnished. It is addressed to the Chief Secretary to the Lord Lieutenant. Steps will be taken to have it laid at once on the Table.

MR. SEXTON (Belfast, W.): Will it be accompanied by the evidence?

MR. BALFOUR: Yes.

MR. SHAW LEFEVRE: Does it deal with the English as well as the Irish prisons?

MR. BALFOUR: It deals with all matters included in the Reference so far as the Committee has been able to deal with them.

TRUSTEE BANKS.

*MR. E. KNATCHBULL-HUGESSEN (Rochester): I beg to ask the Chancellor of the Exchequer why the interest to the Trustee Banks was reduced to £2 15s. from the 20th of November last, whilst the interest to the Post Office remains as before?

*MR. GOSCHEN: The case of the Trustee Banks is different from that of the Post Office Banks. The financial year of the Trustee Banks ends in November, and I was not prepared last November to face the necessity of paying £2 15s. to depositors in the Trustee Banks when for the greater part of the year the stocks held by the National Debt Commissioners would only yield £2 15s., thus leaving no margin. The position of the Post Office Banks was a different one, and, in view of the large operation which I had before me in paying off £40,000,000 of debt, I was not prepared to run the risk of disturbing the financial resources at the disposal of the National Debt Commissioners by any change in the interest paid to depositors in these banks.

GOVERNMENT GRANT TO SCOTCH SCHOOLS.

MR. WILLIAM SINCLAIR (Falkirk Burghs): I beg to ask the Lord Advocate if he can give, either accurately or approximately, the amount of fees received in schools in Scotland which participate in the Government Grant, for infant schools, and for each of the five compulsory standards?

*THE LORD ADVOCATE (Mr. J. P. B. ROBERTSON, Bute): The Department has no sufficiently reliable data upon which to state accurately the amount of fees received in State-aided schools for infants and for each of the five compulsory standards. But following certain Returns (which, however, are not quite complete, and which probably represent rather more than the actual receipts), my Lords think the total amount may be approximately stated as about £265,000, of which about £37,000 is paid for infants and the following for each of the five standards:—I., £38,000; II., £42,000; III., £50,000; IV., £66,000; and V., £48,000.

PERSIAN RAILWAYS.

MR. JAMES MACLEAN (Oldham): I beg to ask the Under Secretary of State for Foreign Affairs if there is any truth in the statement made by the Brussels correspondent of the *Times* on the 17th instant, that

"The Convention between Russia and Persia relative to the railways which are to connect the Caspian Sea with the Indian Ocean, accords to Russia the right of preference for this construction, and that the construction is to be entrusted exclusively to Russians approved by the Czar's Government?"

*THE UNDER SECRETARY OF STATE FOR FOREIGN AFFAIRS (Sir J. FERGUSSON, Manchester, N.E.): The statement is not, as far as I know, correct. The exclusive right of constructing railways in Persia has not been conceded to Russia, although a promise of priority in the construction of one line of railway, the precise direction of which is not stipulated, is believed to have been promised to a Russian company in the event of one being formed in the next five years.

PROVINCIAL TELEGRAPH CLERKS.

MR. M'CARTAN (Down, S.): I beg to ask the Postmaster General whether he will consider the desirability of giving extra pay to the provincial telegraph (male) clerks engaged on Sunday labour so as to put them on a level with the clerks employed on Sunday duty at the Central Telegraph Office, the Metropolis Engineering Department, military telegraphists, and female telegraphists?

*MR. RAIKES: In reply to the hon. Member, I have to state, as has, indeed, already been stated several times in this House, that the present scales of pay of male telegraphists at provincial offices were fixed so as to include remuneration for 50 hours' work a week—namely, 48 on week days and two on Sundays, and I do not propose to pay them extra for the work done on Sundays. The scales of pay of telegraphists in London, and of female telegraphists in the provinces, do not include remuneration for Sunday work. I may add that applications have been received by three successive Postmasters General for further pay on Sundays, and refused by each.

IRELAND—THE SPECIAL COMMISSION —THE WITNESSES MULLETT AND NALLY.

MR. M'CARTAN: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether the prisoners James Mullett and Patrick Nally were visited by a Mr. Thompson on behalf of the *Times* some time before their removal from Downpatrick to Millbank Prison, as witnesses for the *Times* at the Royal Commission; whether each prisoner was brought into the presence of Thompson without having been previously told even his name or the object of his visit; whether he is aware that Thompson promised Mullett and Nally that each would have "his liberty and would be put into a good position besides, if he consented to serve the *Times*"; whether Thompson said to Nally that his parents were now "growing very old, and that they desired to see him before they died"; whether he is aware that Thompson afterwards, in February last, went to Mrs. Mullett, wife of James Mullett, and asked her to use her influence with her husband, whom he had seen, "to swear what would be beneficial for the *Times*, that it would be of great benefit both to her and to him, and that his imprisonment would then cease at once"; and whether, considering the nature of these allegations, he will grant an independent inquiry, by a Committee of Members of this House, into all the circumstances in connection with these visits of Mr. Thompson and other agents of the *Times*, to persons undergoing terms of imprisonment?

MR. A. J. BALFOUR: The General Prisons Board report that no trace can be found in the records of their office of any such visit having been authorized

or paid by Mr. Thompson to convicts Mullett and Nally in Downpatrick Prison. Inquiry is being made of the Governor of the prison as to whether he has any knowledge of it.

THE GLASSERCHOO EVICTIONS.

MR. M'CARTAN: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he is aware that at the Glasserchoo evictions, on the 24th May last, the reporter of the *Derry Sentinel* asked District Inspector Heard why the police were entering the houses, in all cases first, and Mr. Heard replied in the hearing of the Special Commissioner of the *Daily News*, "Oh, we have orders to that effect now"; and whether he can now say if such orders were sent to Mr. Heard or any other officer in Donegal?

MR. A. J. BALFOUR: District Inspector Heard states that he never spoke to any reporter on the subject, and that the words mentioned were never used by him. No such orders were sent to Mr. Heard or any other officer in Donegal.

RAILWAY FROM ARDGLASS.

MR. M'CARTAN: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland, with reference to the Light Railways (Ireland) Bill, whether his attention has been directed to the necessity for a railway from Ardglass, the great centre of herring fishing in Ulster, to Downpatrick, which is recommended in the Report of the Royal Commission on Irish Railways, 1888, page 24; and whether, in view of the importance of fostering the fishing industry there, as will be seen by the Report of the Inspectors of the Irish Fisheries for 1887, he will consider the claims of that district in his proposed legislation on the above subject?

MR. A. J. BALFOUR: I have already given as full an answer to this question as is at the present time practicable in my reply to the question on the subject put by the hon. Member for Belfast, South (Mr. Johnston), on Friday last.

FAIR RENTS.

MR. PINKERTON (Galway): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he is aware that a number of appeals from fair rents fixed by the County Antrim Sub-Commission at Larne in May, 1885, were only listed for hearing at the last sitting of the Chief Commission in Belfast on 27th May, 1889; whether he is aware that the revised list for that sitting contained 179 cases, and, notwithstanding that a considerable number had been settled, the Court concluded its sitting on reaching Appeal No. 108, thereby leaving upwards of 70 cases unheard, and that the farmers concerned in these unheard cases were put to great expense and inconvenience by having to attend with their witnesses for several days before they were told that their cases would not then be heard; whether arrangements will be made not to list a greater number of cases than the Commission can dispose of at a sitting; and, when the Chief Commission will next sit in Belfast?

MR. A. J. BALFOUR: I have not yet received a Report on the subject. Perhaps the hon. Member will be good enough to repeat the question to-morrow.

SHELLEY'S GRAVE.

MR. CONYBEARE (Cornwall, Camborne): I beg to ask the Under Secretary of State for Foreign Affairs whether, in the correspondence respecting the proposed expropriation of the old Protestant Cemetery at Rome [C.—5717], any provision has been made for the preservation of the spot where the poet Shelley was buried; whether any attempt has been made, in the course of the negotiations with the Syndic of Rome, for the said expropriation, to identify the spot alluded to in the statement in the "Shelley Memorials," that "the ashes of Shelley were deposited in the Protestant burial ground at Rome by the side of his son William, and of his brother poet Keats. An inscription in Latin simply setting forth the facts was written by Leigh Hunt, and Mr. Trelawny planted eight cypresses round the spot;" why no mention of the poet Shelley's burial place is made in the correspondence, Mr. J. G. Kennedy writing under date Rome, 8th October, 1888, to Lord Salisbury—

"I hope within a few days to report to your Lordship the opinion of the acting Syndic as to the feasibility of sparing the tombs of Keats and Severn,"

but saying nothing about Shelley; and

whether he will now take steps to see that Shelley's tomb is preserved along with those of Keats and Severn?

*Sir J. FERGUSSON: No provision was necessary for the preservation of the spot where the poet Shelley is buried, because his remains lie in the so-called new cemetery, shown on the map opposite page 2 of the Blue Book (Italy No. 1, 1889), for which a clear title has been permanently secured (page 9), and this is why no mention is made of his burial place in the correspondence. The cemetery in which the remains of Mr. Keats and Mr. Severn were placed was the old Protestant Cemetery, an adjoining burial ground, the greater part of which has been taken up for a municipal improvement.

SCIENCE AND ART DEPARTMENT.

Mr. FRANCIS POWELL (Wigan): I beg to ask the First Commissioner of Works whether his attention has been directed to the unsatisfactory condition of the shed at the South Kensington Museum wherein are deposited the drawings and other works of art sent from schools in connection with the Science and Art Department, and whether he proposes to take steps in order to protect them from further injury by rain in consequence of the defective condition of the building; whether there is adequate security against fire where there is so large a collection of inflammable material; and, whether the adjoining buildings of the Museum are duly protected against serious damage by fire should a fire occur in the shed containing the drawings?

Mr. PLUNKET: The attention of the Office of Works has not been called to the unsatisfactory condition of the shed named in the question of my hon. Friend beyond the general complaint which has been made as to the unsuitable nature of the present temporary accommodation in connection with the desire of the Science and Art Department to have the Museum buildings completed in a permanent manner. On the 27th of May last a requisition was sent in for the repair of the gutters of the roof of the building, a leakage having taken place during a storm, and the necessary repairs were at once executed. I am assured that the roof, although old and patched, is waterproof, and that the other parts of the building are sound. The arrangements for the security of the shed, as well as of the whole of the Museum buildings, against fire rest with the Science and Art Department, by whom, I believe, the usual provision is made.

DELAGOA BAY RAILWAY.

Mr. MILLS (Kent, Sevenoaks): I beg to ask the Under Secretary of State for Foreign Affairs whether Her Majesty's Government has received information as to a threatened seizure of the Delagoa Bay Railway by the Portuguese Government; whether it is a fact that the railway was built and equipped by British capital, on the faith of a concession from the Portuguese Government; and, whether Her Majesty's Government will take steps, if it has not already done so, to prevent such action by the Portuguese Government, which would be most prejudicial to British capital and British interests?

*Sir J. FERGUSSON: This question involves very contentious matter. The Portuguese Government consider that this concession which is for a railway on Portuguese territory, is held by a Portuguese Company, who have not fulfilled its conditions, and that they have the right, consequently, of forfeiting it. It is understood to be the fact that the whole of the capital has been found in England by an English Company formed to work the concessions to the Company which has its seat in Portugal; and, as the Company prefers a strong *primâ facie* case in rejoinder, Her Majesty's Government have used, and are using, their best endeavours to induce the Portuguese Government at least to postpone action which would unquestionably be prejudicial to the interests involved.

ZULULAND—FLOGGING OF NATIVES.

Mr. BRADLAUGH: I beg to ask the Under Secretary of State for the Colonies whether he is aware that natives in Zululand are frequently flogged by order of the Local Authorities; whether his attention has been drawn to the fact that it was proved at Etshowe on 15th April that three natives were flogged with a cat, and that the cat was a rein cut up and fastened on to a stick, with some pieces of iron at the end of the strips; and, whether he will direct inquiry to be made into the matter?

THE UNDER SECRETARY OF STATE FOR THE COLONIES (Baron H. de WORMS, Liverpool, East Toxteth): Under the Laws and Regulations for the Government of Zululand, printed in the Parliamentary Paper [C.—5331], flogging may be inflicted, as an alternative to fine or imprisonment, for any offence except murder; but no sentence of corporal punishment can be carried into effect until it has been confirmed by the Chief Magistrate. The Secretary of State has no information showing whether natives have been frequently flogged. The hon. Member has called my attention to a newspaper statement of the matter referred to in the second paragraph of his question; but it has not been officially reported, and a Report will at once be called for.

MR. BRADLAUGH: Do I understand the hon. Gentleman to say that a Report will be called for?

BARON H. DE WORMS: Yes.

IRELAND—THE PONSONBY EVICTIONS.

MR. SEXTON: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he is aware that on Tuesday last, the police engaged in the Ponsonby estate clearances broke into the grounds of the Catholic Church, the property of the parish priest, against his will, expelled people who were there by his leave, and remained there after he had directed them to withdraw; that when the parish priest, the Very Rev. Canon Keller, accompanied by Mr. Lane, the Member for the Division, went to where Captain Plunkett, the person in chief control, was standing on the high road, and made a representation to him as to the action of the police, he replied, "Go about your business," and thereupon gave an order which the police executed by pushing Canon Keller and Mr. Lane violently for some distance along the public road, and that a person named Crockett, who had been allowed inside the lines, insulted a young girl, daughter of a widow, an evicted tenant, by asking her to kiss him; whether this insult was also offered to her by Colonel Caddell, R.M., who told her that she must have been kissing the police, the girl having been arrested in her mother's house at the time of the eviction, and kept in custody without any friend to protect her; why Crockett was admitted within the cordon; and, what was his business there?

MR. A. J. BALFOUR: The Divisional Commissioner reports that a disorderly mob was assembled in the chapel-yard abusing the police and all engaged in the evictions in the most filthy and obscene language. Members of the mob were posted on the walls and in the trees of the chapel-yard, and if they had not been dislodged the police and military would have been entirely at their mercy in the event of stone-throwing. The police were therefore directed to enter the yard to keep the mob from harassing the evicting party. The Divisional Commissioner did decline to withdraw the police. No assault was committed on Canon Keller or Mr. Lane, M.P. They were requested to go outside the cordon with the rest of the people. They declined to do so. The police then put them outside. Mr. Crockett was present at the evictions, being employed as an assistant to the local agent. There is no reason, so far as can be ascertained, for supposing that he offered any insult to any young girl. Colonel Caddell denies that he used the expression attributed to him.

MR. SEXTON: I wish to know whether the right hon. Gentleman considers that the police were entitled to break into a private enclosure round the chapel and assault people there, although there was no evidence of any disturbance or interference with the evictions, the people simply cheering and making exclamations. Is it not a fact that when Canon Keller and Mr. Lane remonstrated with Captain Plunkett on the illegality of the incursion of the police into private grounds he ordered them to be pushed outside the cordon? I also desire to ask whether the right hon. Gentleman has inquired into the alleged insult to the girl, and why it is that to-day the House have heard nothing of the girl having used the filthy and obscene language which the right hon. Gentleman attributed to her on Friday?

MR. A. J. BALFOUR: The reason why I did not refer to the last of the supplementary questions put by the right hon. Gentleman was that, having made the statement on Friday, I did not consider it necessary to repeat it. I consider that the police were perfectly justified in clearing the crowd under the

circumstances I have detailed. Canon Keller and Mr. Lane had been admitted into the cordon to discuss any business which concerned them; but they had no business there when Captain Plunkett requested them to leave, and as they refused to go the police were perfectly right in excluding them.

MR. SEXTON: Does the right hon. Gentleman maintain the allegation against the girl, who is an honest country girl, and a member of a respectable family? Will he afford an opportunity of inquiry into the truth of the allegations against the girl that she made use of improper language, and whether she was not insulted in the first instance by Crockett, a political agent, and then by Colonel Caddell?

MR. A. J. BALFOUR: I make no imputations with respect to this girl; but I know that, not only at this eviction, but at others, girls in all other regards respectable did make use of filthy and obscene language.

THE LONDON SOCIETIES' IRISH ESTATES.

MR. WILLIAM SINCLAIR: I beg to ask the First Lord of the Treasury, if, in view of the Motion for Friday 28th June, standing in the name of the hon. Member for South Derry, and which has first place for discussion that evening, he will lay upon the Table of the House, and have distributed to Members in time for the debate, Copies of the original charters under which various London Societies held property in Ireland, and of any subsequent charters modifying them; or, should the expense of printing these charters be too considerable, if he will cause to be issued, in a convenient form, a memorandum containing all the clauses in such charters which have any reference to the objects for which lands were granted to the various Companies, and the allocation of the revenues which might be derived from such lands?

MR. A. J. BALFOUR: My right hon. Friend has requested me to answer the question. Such investigations as I have made have not resulted in my obtaining any information about these charters, which are not in any office over which the Government have control, so far as I am at present aware. I will make further investigations, and if the hon. Member can himself suggest how I can get at the facts, I shall be glad to act upon his suggestion.

THE REPRESENTATION OF WEST FIFE.

MR. CUNINGHAME GRAHAM: I beg to ask the Chancellor of the Exchequer if it is the fact, as publicly reported, that the application of Mr. Preston Bruce for the Manor of Northstead, was placed in the hands of the proper authorities some months ago; and, if so, who is responsible for the Constituency of West Fife having remained unrepresented during the interval, Mr. Bruce having been absent through ill-health.

*MR. GOSCHEN: The application was made to me not direct, but by the hon. Member for East Nottingham (Mr. A. Morley), who was authorised to make it by a letter from Mr. Preston Bruce. I am not aware of the date of Mr. Preston Bruce's letter, but I received the application on the evening of Thursday last and granted the Manor of Northstead to Mr. Preston Bruce next morning, so that there was no delay.

THE DISTRICT COUNCILS BILL.

MR. FRANCIS STEVENSON (Suffolk, Eye): I beg to ask the First Lord of the Treasury what are the intentions of the Government with respect to the District Councils Bill?

*THE FIRST LORD OF THE TREASURY (Mr. W. H. SMITH, Strand): The Government were anxious to introduce this Bill this Session; but they recognized that the first claim on the House was the Scotch Local Government Bill. They hoped it might have been possible to consider both Bills this Session; but the state of public business is such as to compel them reluctantly to abandon the hope of being able to ask the House to consider the District Councils Bill this year.

MR. F. STEVENSON: Are we to understand that the pledge which was given last year with respect to the District Councils Bill being introduced this Session will stand good for next Session?

*MR. W. H. SMITH: The Government are anxious to pass this measure, but they cannot give an engagement for next Session.

THE TRAFALGAR SQUARE CONVICTIONS.

MR. CAUSTON (Southwark, W.): I beg to ask the Secretary of State for the Home Department whether he will state to the House the reason for his refusal to recommend to Her Majesty any mitigation of the sentence of five years' penal servitude passed on George Harrison, a stonemason, belonging to the North Lambeth Progressive Club, for assault in Trafalgar Square on 15th November, 1887?

*MR. MATTHEWS: I have consulted the learned Judge who tried the case, and he informs me that the two charges of unlawfully wounding one policeman and wounding another with intent to disable him were clearly proved. In his opinion, the sentence was a lenient one under the circumstances. I am, therefore, unable to advise any mitigation of the sentence.

MR. CAUSTON: May I ask the right hon. Gentleman if he will give attention to the memorial which has been sent in, and especially that part of it which points out the very unsatisfactory character of the chief witness who gave evidence in reference to the use of the oyster knife? I will also ask him whether this lad had not hitherto led a blameless life; and, whether the references which have been given as to his character are not most satisfactory?

MR. BRADLAUGH (Northampton): Before the right hon. Gentleman answers the question, I should like to ask whether these cases did not occur at a time of great excitement; and, whether, now that order has been perfectly restored, the Government may not with propriety exercise the prerogative of mercy?

MR. CUNINGHAME GRAHAM: (Lanarkshire): May I ask, also, whether the policeman who is alleged to have been assaulted, and on account of whom this lad has been sentenced to five years' penal servitude, was only off duty for a week altogether?

MR. J. ROWLANDS (Finsbury, E.): Has the right hon. Gentleman received information that the principal witness against Harrison is not a man of good character?

*MR. MATTHEWS: I do not think it is possible for me to discuss in the House general matters of this kind in reply to questions. I may say, in answer to the hon. Member who put the original question, that all the facts have received my most careful consideration, and that I have weighed and re-weighed the evidence submitted to me. The learned Judge who tried the case says that the verdict and sentence are perfectly satisfactory to him. In reply to the question of the hon. Member for Northampton (Mr. Bradlaugh), I can only say that his suggestion is full of weight; but in view of the fact that one policeman was stabbed in the back and another subsequently attacked and wounded with intent to maim, the offence is a grave one. It is impossible, as a rule, to exercise the prerogative of mercy in such offences. I quite admit that this young man had previously to this occurrence a good character.

MR. CAUSTON: May I ask the right hon. Gentleman to give his serious attention to that part of the evidence which related to the oyster knife? The witness was a most unreliable man. Of that fact I have satisfied myself, as I have already stated to the House and to the right hon. Gentleman; and I therefore appeal to him to reconsider the case, especially taking into account the very severe sentence which has been passed, and the great public excitement which prevailed at the time.

MR. BRADLAUGH: Am I to take it that the Government will not be indisposed to consider further the case of this young man, with a view to the exercise of the prerogative of mercy, considering the excitement which prevailed?

*MR. MATTHEWS: I am afraid that I can give no pledge at all.

MR. CUNINGHAME GRAHAM: Are the House and the country to understand that this young man, George Harrison, has been rightly convicted of stabbing a policeman in the back?

MR. MATTHEWS: If hon. Members will put general questions to me I cannot help it if the answers they receive are not favourable to the persons in whose behalf they put them.

MR. CUNINGHAME GRAHAM: Has not the right hon. Gentleman confounded two distinct cases? Harrison was not the person who stabbed the policeman in the back?

A SCOTCH EVICTION.

MR. MACDONALD CAMERON (Wick Burghs): I beg to ask the Lord Advocate whether his attention has been called to the fact that a man named Neil M'Dougall, salmon fisher and crofter, Cour, Carradale, in the united parishes of Saddle and Skipness, Kintyre, in the county of Argyll, was evicted on the 13th instant, and M'Dougall's furniture and clothing taken possession of and destroyed, that his landlord refuses to reinstate him, although M'Dougall in the year 1881 built the house from which he was evicted at a cost to himself of £106; and, whether Her Majesty's Government will consider the advisability of so amending the Crofter Act of 1886 as to prevent such evictions taking place in future?

*MR. J. P. B. ROBERTSON: I have made inquiry into this case. M'Dougall is not a crofter. He was evicted on the date mentioned, but it is not the case that his furniture and clothing were taken possession of or destroyed. They were carefully taken out of the house, and left in charge of M'Dougall and his wife, and covered up with sails to protect them. The cost of the house, which is of wood, is not known, but it is believed not to be anything like £106. I am informed that M'Dougall has always been a troublesome tenant, and the landlord declines to reinstate him. Any claim he may have can be adjudicated upon in the Civil Courts. I cannot advise any amendment in the Crofters' Act to meet a case of this nature.

THE EXCISE DEPARTMENT.

MR. MACDONALD CAMERON: I beg to ask the Chancellor of the Exchequer whether it is true that a new office, which will employ about 30 clerks, is being established in Somerset House, for the purpose of allocating the money received at post offices for the Excise licenses which have been transferred under the Local Government (England and Wales) Act to the several County Councils; and, if so, whether there are substantial grounds for not allowing the present staff of Excise officers to perform the work, seeing that they already perform it for the much larger sums of money collected for the same kind of licenses by the collectors, supervisors, and distributors of Inland Revenue; and whether the work of allocating the money collected by the sale of licenses at post offices could be extended to the out-door officers of Excise, and thus saving to the public service?

*MR. GOSCHEN: The hon. Member has been misinformed with regard to the manner in which the allocation of the license duty received at post offices is to be carried out. There is no intention, nor is there any necessity, to create a new office for the purpose, as the work in question will be performed by the existing staff.

THE CASE OF THE DESERTER THOMPSON.

MR. WADDY (Lincolnshire, Brigg): I beg to ask the First Lord of the Admiralty whether any, and what, compensation will be given to William Henry Thompson for the imprisonment and the punishments inflicted upon him by the orders of Captain Woodward and others; and, whether he will lay upon the Table of the House Copies of the Proceedings before the Queen's Bench Division in the case of Reg. *v.* Woodward, decided on Friday the 21st instant, including the affidavits filed on each side, and also Copies of all Correspondence between the Admiralty or War Office and Captain Woodward or others, and all Instructions given to any Officer of the Army, Navy, or Constabulary in this matter?

LORD G. HAMILTON: As I have already stated, the facts brought to my notice in connection with this case do not seem to me to entitle this young man to compensation. The second request of the hon. Gentleman to me is to adopt a procedure which, so far as I know, is absolutely without precedent, and which I cannot assent to.

SIR G. CAMPBELL (Kirkcaldy): Will what took place at the *quasi* trial before the Naval Authorities be laid on the Table for the information of the House?

LORD G. HAMILTON: I do not think it is desirable that the Admiralty should lay the statement in question on the Table.

MR. WADDY: I beg to give notice that as soon as I obtain the necessary documentary evidence I shall move the adjournment of the House for the pur-

pose of calling attention to this subject.

IRELAND—POLICE CONDUCT AT NEWBRIDGE.

MR. CAREW (Kildare, N.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he is aware that Head Constable M'Donald, on 1st June, visited the shop of Mr. John Quinn, baker, of Newbridge, county Kildare, and in an interview with Mr. Quinn, demanded to know why he had refused to supply bread to a woman named Mrs. Myers, a publican in the same town; that Mr. Quinn, in reply, produced his books and showed that the woman mentioned owed him for previous supplies money which he could not get her to pay, and added, that under such circumstances he could not continue to deal with her, and that, notwithstanding this explanation, Head Constable M'Donald told Mr. Quinn that it was a case of boycotting, and that he would report the matter to Colonel Forbes, R.M.; would he state by what right M'Donald put the question mentioned to Mr. Quinn, or tried to compel him by threats to deal with Mrs. Myers; and whether the Government have sactioned such interference by their agents with the right of individual citizens to deal with whom they like?

MR. A. J. BALFOUR: The Head Constable reports that, in consequence of a statement made to him by Mrs. Myers, he had a private interview with Mr. Quinn, who voluntarily produced his ledger, the Head Constable telling him at the same time that he did not want to see it. He did not say to Mr. Quinn that it was a case of boycotting; nor did he mention the name of Colonel Forbes, or any other official; neither is it true that he used any threats, or tried in any way to compel Mr. Quinn to deal with Mrs. Myers, nor did he interfere with the business of Mr. Quinn in the slightest manner. The Head Constable considered it his duty to make the inquiries, as he was aware that Mrs. Myers was being subjected to annoyances by members of the Irish National League for having supplied goods to caretakers on evicted farms. With regard to the last question, the chief object of the Government is to preserve the rights of individual citizens. Quinn is a member of the Irish National League. The Head Constable was satisfied from the interview that it was a private trade transaction between Quinn and Mrs. Myers.

MR. SEXTON: Had the constable the right to ask a shopkeeper the question why he did not deal with any particular person? Have we reached such a point in Ireland that the police can report a shopkeeper for not selling goods to a customer who is owing him money?

MR. A. J. BALFOUR: I understand that no threat was used by the constable. The woman complained of being boycotted, and as far as I understand the constable made inquiries, and found that it was not the case. There the matter ended.

MR. CLANCY (Dublin County, N.): Did he not threaten to report Mr. Quinn to the Magistrates?

MR. A. J. BALFOUR: I understand that that was not the case.

In reply to a question by Dr. KENNY (Cork, S.),

MR. A. J. BALFOUR said that the constable had made no complaint at all.

MR. CLANCY: Was not the man charged with the offence of boycotting?

MR. A. J. BALFOUR: If the man had been charged with an illegal offence it would have been a case for a Court of Law.

SEVERE SENTENCE—CASE OF WILLIAM JULIAN.

MR. BERNARD COLERIDGE (Sheffield, Attercliffe): I beg to ask the Secretary of State for the Home Department whether his attention has been drawn to the case of William Julian, labourer, of Cropwell Bishop, who, on the 13th of June, was charged before the Justices at Bingham, in Nottinghamshire, with being in unlawful possession of 28 partridge eggs on the 2nd of June, in which case, although it was proved that, as to 15 of the eggs, they were given to him by a man called Hardy, and that, as to 13 of the eggs, they were taken from the land of a man named Starbuck by Starbuck's permission, Starbuck being a man having the right by Law to take such eggs, according to his own evidence, the Justices fined the man Julian 5s. for every one of the 28 eggs, being the full penalty permitted by Law, and in default of payment sentenced him to two months' imprison-

ment, being the maximum term of imprisonment permitted by Law; and whether, under the circumstances, he will reduce the fine?

MR. MATTHEWS: My attention has been called to the case. I have written to the Justices in regard to it, but I have not yet received a Report.

COLONIAL GARRISONS.

MR. WATT (Glasgow, Camlachie): I beg to ask the Under Secretary of State for the Colonies whether it is a fact that the garrison which has been maintained at Trinidad since the British occupation has been ordered to proceed to Barbadoes; whether there is a garrison resident at Demerara; and whether, in view of recent disturbances there, and in a neighbouring country, with whom disputes are now pending and diplomatic relations suspended, Her Majesty's Government will re-consider their determination to remove to a considerable distance the only available force for the protection of British subjects and their property?

BARON H. DE WORMS: The transfer to Barbadoes of the one company of Infantry which had been stationed in Trinidad is a part of the arrangements considered most expedient for the defence of the West Indian Colonies generally. A small force is at present stationed in British Guiana, and Her Majesty's Government do not think it necessary at the present time to retain any troops in Trinidad.

THE SWISS LABOUR CONVENTION.

MR. BAUMANN (Camberwell, Peckham): I wish to ask the First Lord of the Treasury if it is proposed to lay on the Table the invitation addressed to Her Majesty's Government by the Swiss Labour Convention, to send representatives to Bale, together with the reply of Her Majesty's Government?

*MR. W. H. SMITH: Papers will be laid on the Table, and I hope that they will be circulated the first thing to-morrow morning.

IRELAND—WARRANTS AGAINST MEMBERS OF THE HOUSE.

MR. SEXTON: I beg to ask the Chief Secretary if he is aware that warrants have been issued against my hon. Friend the Member for South Down (Mr. M'Cartan) and the Member for East Clare (Mr. Cox) for speeches delivered by them during the recess; and, if so, why the practice of issuing summonses has been departed from, and why my hon. Friends are not to be allowed to finish their Parliamentary labours?

MR. BALFOUR: I must ask for notice of the question.

MR. SEXTON: I will repeat it to-morrow.

BUSINESS OF THE HOUSE.

MR. GLADSTONE (Edinburgh, Mid Lothian): I wish to ask the First Lord of the Treasury what will be the course of public business during the present week, and when the Education Vote will be brought forward?

*MR. W. H. SMITH: I am not in a position to state at present when the Education Vote will come up for discussion. It is proposed to proceed with the Scotch University Bill in Committee to-morrow. If it is completed then I will state what the business will be on Thursday. If it is not completed to-morrow, it will be proceeded with again on Thursday.

MR. DILLWYN (Swansea): After what time will the Elementary Education (England and Wales) Bill be not taken?

*MR. W. H. SMITH: It will not be taken after 10 o'clock.

MR. STOREY (Sunderland): I wish to ask the First Lord of the Treasury whether, having regard to the national importance of the English Sunday Closing Bill, he will consent to the suspension of the Standing Order on Wednesday, so that it may be fully considered upon the day for which it is fixed?

*MR. W. H. SMITH: I do not think I should be justified in asking the House to suspend the Standing Order in favour of this Bill, for there are others of equal importance, and if I did so in the case of this Bill I should be pressed to do the same in regard to other Bills. The Standing Order was suspended on Wednesday last in favour of a Bill with regard to which very great inconvenience and confusion will result if it does not pass this House by the 5th July.

MR. WADDY: May I ask the First Lord of the Treasury whether he can state when the Land Transfer Bill will come up for consideration in this House? As

the right hon. Gentleman is probably aware, if this is not very soon many hon. Members who take great interest in it will be away on circuit.

*MR. W. H. SMITH: The Bill has not yet reached this House from the other House, and it is, therefore, premature, and would be unusual, for me to make any statement as to its progress.

MR. DILLWYN: When will the Government Amendments to the Intermediate Education Bill be laid upon the Table?

*MR. W. H. SMITH: I hope that they will be printed to-morrow.

ROYAL ASSENT.

Message to attend the Lords Commissioners;—

The House went;—and being returned;—

MR. DEPUTY SPEAKER reported the Royal Assent to,—

1. Sale of Horseflesh, &c., Regulation Act, 1889.

2. Town Police Clauses Act, 1889;

3. Assizes Relief Act, 1889.

4. Purchase of Land (Ireland) Amendment Act, 1889.

5. Local Government Board's Provisional Order Confirmation (No. 4) Act, 1889.

6. Local Government Board's Provisional Orders Confirmation (No. 5) Act, 1889.

7. Waltham Abbey Gunpowder Factory Act, 1889.

NEW MEMBER SWORN.

John Morrogh, Esquire, for Cork County (South East Division).

ORDERS OF THE DAY.

UNIVERSITIES (SCOTLAND) [GRANT, &c.]

Considered in Committee.

(In the Committee.)

Resolved, That it is expedient to authorise a Grant out of the Consolidated Fund to the Scottish Universities Commissioners, to be applied for the purposes of the Universities under any Act of the present Session for the better Administration and Endowment of the Universities of Scotland; and also the payment, out of moneys to be provided by Parliament, of remuneration to the secretary, clerks, and officers appointed, and of all expenses incurred under the provisions of the said Act.

Resolution to be reported to-morrow.

BOARD OF AGRICULTURE BILL.

(No. 221.)

Considered in Committee.

(In the Committee.)

Clause 1.

Motion made, and Question proposed, "That the Clause stand part of the Bill."

MR. HENEAGE (Great Grimsby): On the Second Reading of this Bill I think an almost unanimous desire was expressed for a Minister of Agriculture rather than a Board of Agriculture; but as the First Lord of the Treasury has given no notification that the Government will concede what is the unanimous wish of hon. Members, I must say a few words in favour of the Amendment which I have placed on the Paper. I will ask, does the First Lord mean that the Board shall be a real Board, or a stillborn Board, or, as the right hon. Gentleman the Member for Leeds has called it, a sham Board? The First Lord has said the Board of Agriculture is to be similar in constitution to the Board of Trade and the Local Government Board; but I should like to point out to the right hon. Gentleman—it may, perhaps, be a mere matter of detail—that the Board is not, in point of fact, the same in constitution as the other Boards. Unless I am entirely wrong there are several distinguished persons on these Boards of Trade and Local Government who are not on the present Board of Agriculture—such, for instance, as the Archbishop of Canterbury and Mr. Speaker. This may be a mere matter of detail; but I must point out that these Boards have never been called together for consultative purposes, and that to all practical intents they have been absolutely useless. But the First Lord of the Treasury has also stated that he expects that this Board will form part of the Government of the country. Now how, I should like to know, can a stillborn Board be a part of the Government of the country, and also when and how is it to be called together for consultative purposes to assist a

Minister? I want to know how the First Lord reconciles these two statements? Either the Board is to be a real Board, or it is not to be a real Board. If it is to be a real Board, then it will take away from the responsibility and authority of the Minister of Agriculture under whatever name he may be called; and if it is not to be a real Board, then it is to be a sham. One or the other it must be, for I do not see how the First Lord can use both these arguments—in one breath tell the farmers throughout the country that the Board of Agriculture, as created by the first clause of the Bill, is not after all reality, but merely a form of words, and that really what is created is a Minister responsible for agriculture, while in another breath he assures them that it is to be a Board of experts. My desire is that there shall be a responsible Minister, that he shall be accessible to deputations and to all who wish to see and consult him, and that when he has stated his opinion and made an answer to a deputation that answer shall be carried out. We have had several instances in which the nominal Minister of Agriculture—namely, the Chancellor of the Duchy of Lancaster—has been unable to carry out promises made. Especially was this so in 1883, when Mr. Dodson, then Chancellor of the Duchy and a Cabinet Minister, agreed to the shape in which a Bill in regard to cattle diseases was to be brought forward; but when the Bill came before the House it was found to be entirely different, and only after the defeat of the Government in the House was it restored to its original shape. I do not, however, now wish to go into the subject at length, because it was so thoroughly discussed on the Second Reading, and I believe the speakers then were unanimously in favour of a Minister instead of a Board. But I wish to dwell upon one or two of the arguments which have been advanced against the proposal embodied in my Amendment. I have been told, in the first place, that the word "Minister" is unknown to the law. That argument, I cannot help thinking, is mere pedantry; but I am perfectly willing to see another word substituted — Chancellor, for instance, or any other term that the ingenuity of the Treasury Bench may devise. I cannot, for my part, see any difficulty in accepting the designation of Chancellor of Agriculture, just as we have Chancellors of the Duchy of Lancaster and Chancellors of the Exchequer. But, in the second place, I am told that a Board is preferable to a mere Minister, because in the latter case there would be no one to do the work should the Minister of Agriculture be himself away. I may, however, ask how is the work of other Ministers done when they are away, and how did my right hon. Friend the Member for Bradford do the work of Postmaster General for three months when the late Mr. Fawcett was ill? The fact that such arguments are used against my proposal is, I think, an evidence of the poverty of the objections raised. In the Amendment, as it now stands upon the Paper, I do not wish in any way to add a new office of profit to the Crown. The salary will be as laid down in the Bill as now drawn, and, under the powers of the Bill as asked for by the Government, I do not wish to add another such office of profit, because I believe the money may be easily saved by amalgamating the Office of Board of Works, or that of the Lord President of the Council, with that of the Chancellor of the Duchy of Lancaster. So far as I am concerned I do not, as I have said, care what title the new Minister is given. I have never been able to see why the simplest way would not be to have a Department of Agriculture with the Chancellor of the Duchy of Lancaster at its head. There is nothing, in my opinion, in a name; but what I do want is a really responsible head of the Department, and not a Minister who will be hampered by any other individual. I also desire that there shall not be a Board which he will be bound to consult. I shall be very glad to hear what are the objections held by the First Lord to my proposal.

Amendment proposed,

In Clause 1, page 1, line 5, at beginning, after (1), insert—

"It shall be lawful for Her Majesty to appoint a Minister in charge of the interests of agriculture who shall hold office during Her Majesty's pleasure; and there shall be paid to such Minister of Agriculture a salary of two thousand pounds per annum."

*Mr. W. H. SMITH: I am exceedingly glad that the right hon. Gentleman has had an opportunity of making a statement as to the differences between us. I understand him to be of

opinion that a Board of Agriculture, which is to be constituted in the same way as the Board of Trade or the Local Government Board are constituted, will differ from them, inasmuch as there will be something which will destroy the absolute responsibility of the Minister, which certainly exists in the case of the heads of the other Departments. I wish entirely to disabuse the mind of the House of that idea, and to assure hon. Members that the President of the Board of Agriculture, if the Bill now before the House passes into law, will be individually as responsible as are the First Lords of the Admiralty and of the Treasury and the Presidents of the Local Government Board and the Board of Trade. In each case the Minister presiding over those Boards is responsible to Parliament for the conduct of the business and for the policy of his Department. The right hon. Gentleman says the objection to the use of the term "Minister" is mere pedantry. But I should be loth to introduce a term altogether foreign to English legislation, and surely there is something in precedent in dealing with these matters. We have no Minister in the true sense of the term; and the introduction of the term "Minister" would be an undesirable innovation in our official phraseology. I understand the object of the right hon. Gentleman to be to secure that the heads of the Department shall have complete and undivided responsibility. The right hon. Gentleman says that in the absence of a Minister any other Minister can discharge his duties. But in the absence of the head of a Department his duties can be discharged only by some one legally authorised to discharge them; one Secretary of State can act for another, and the Lords of the Admiralty may act in the absence of the First Lord. If in this case you create a Minister, and provide no one to act for him in his absence, the business of the Department will be suspended; but if there is a Board, any of the persons constituting it may act for the President in an emergency. Surely it will be an advantage to a President to have persons whom he can consult from time to time. In the President the hon. Member has the responsible Minister he desires; in the Board there are persons who can act for him if necessary. The Bill follows a precedent which has worked well in other Departments; and for all the reasons I have assigned I regret I cannot accept the Amendment.

SIR LYON PLAYFAIR (Leeds, S.): I should like to have an explanation from the First Lord of the Treasury on one or two points arising under this clause. The Amendment of my right hon. Friend is not a novel one, for exactly the same words are to be found in the Secretary for Scotland Act. But there is one point peculiar to this clause, and to this I should like to direct his attention. It is that apparently by this clause the members of the Board need not necessarily be Members of the Privy Council. In other Departments where similar Boards exist the members have to be members of the Privy Council, but here there is no such provision; and what would happen would be this—that in the absence of the President a person, who is not a Privy Councillor, nor even a Member of Parliament, would be able to transact the business of the Department. I think that that is an anomaly and a serious innovation, and I should like to have an expression of opinion upon it from the First Lord of the Treasury.

*MR. W. H. SMITH: Undoubtedly it would be a serious innovation if a person, not being a member of the Privy Council, and not responsible to this House, were to be allowed to exercise executive functions. I was under the impression that it would not be competent for him to do so. If the words suggested by the right hon. Gentleman are required I will adopt them, in order to make it clear that the intention of the Government is that only members of the Privy Council or Members of this House shall discharge executive functions in connection with the Board.

*MR. CHANNING (Northampton, E.): Before the right hon. Gentleman decides on that point I would ask him to consider whether it is not desirable, in the interests of agriculture, that there should be included in this Consultative Board gentlemen who may not be members of the Privy Council, but who may be able to contribute valuable information and opinions with regard to agricultural subjects.

*MR. W. H. SMITH: That is precisely what I said just now. I have

already stated that it is desirable that the President of the proposed Board should have an opportunity of consulting persons of great experience in agricultural matters; but I felt the force of the objection raised by the right hon. Gentleman opposite, as to the undesirability of allowing them to undertake executive duties. I do consider that that is an objection which is reasonable, for it is not intended that persons who have no responsible position in this House or under Her Majesty should undertake executive functions.

Amendment put, and negatived.

Original Question again proposed.

*Mr. CHANNING: I have now to propose the insertion of words which will secure that persons holding office as Land Commissioners at the date of the passing of the Act should be members of the proposed Board. As the very large powers of the Land Commission are to be handed over to the Board under this Bill I think it is very desirable that the services of the Land Commissioners should be secured upon the Board. It would materially strengthen the hands of the President if that were done, for it would enable him to deal with the questions coming before him more efficiently and more economically.

Amendment proposed, Clause 1; page 1, line 10, after "Scotland," insert "any person who holds office as Land Commissioner at the passing of this Act."

*Mr. W. H. SMITH: I think that the hon. Member has not fully weighed the provisions of the 9th clause of this Bill, for it distinctly contemplates the possibility of the Land Commissioners being members of the Board. I think it would be exceedingly inconvenient and contrary to precedent if gentlemen in the position of Land Commissioners were to be transferred to this new Board whether they like it or not. I trust that the hon. Gentleman will not press his Amendment.

*Mr. F. S. STEVENSON (Suffolk, Eye): The powers exercised by the Land Commissioners are of so extensive a nature that it is most desirable there should be a more definite guarantee than the right hon. Gentleman has just given us, that those powers shall continue to be exercised in the same manner as they are now exercised. Surely, unless you definitely enact that these Land Commissioners are to form part of the new Board of Agriculture, you will have no guarantee that these powers will continue to be exercised on the same basis of experience as in the past.

*Mr. W. H. SMITH: The Government have the highest opinion of the services rendered by the Land Commissioners, and will be only too anxious and too glad to avail themselves of their services in the future in a manner which is found to be in the interests of the country.

*Mr. CHANNING: Do I understand the right hon. Gentleman to say that the Chief Land Commissioner is certainly to be added to the Board? If he says that, I will not press the Amendment; but I do wish to point out that the Chief Land Commissioner is one of the greatest authorities on agricultural topics in this country.

*Mr. H. H. FOWLER (Wolverhampton, E.): I am afraid that the proposition which my hon. Friend has made to the Government would, if accepted, leave undone the very thing he wants to do. We all know that there will be no Consultative Board any more than there has been a Consultative Board at the Board of Trade or at the Local Government Board. Nor is that what the agricultural interest desire. They desire that the Minister shall be individually responsible. The Leader of the House has, with perfect candour, told us that the new Minister is to occupy a precisely similar position to the President of the Board of Trade and the President of the Local Government Board. Well, we know that neither the President of the Board of Trade nor the President of the Local Government Board consults anybody. I believe it is true the Board of Trade includes the Archbishop of Canterbury and the Speaker of this House, and a great many other distinguished individuals, but the Board has never met, and I suppose it never will meet. I am desirous that the Land Commissioners should continue to render their great services to this country. I want to secure positively that the existing staff shall continue to serve the Board; but to put them on the Board would practically be removing them from the Public Service.

SIR R. PAGET (Somerset, Wells): Agriculturists do not want to have a Consultative Board, and undoubtedly it would be a great satisfaction to them to have the distinct assurance of the Leader of the House that the position of the President of the Board of Agriculture will be precisely analogous to the position of the President of the Board of Trade and to that of the President of the Local Government Board. I think that may best be secured by leaving out the words in a sub section which——

THE CHAIRMAN: Order, order! There is an Amendment now under discussion.

SIR R. PAGET: The hon. Member's Amendment now before us embodies the principle of having a Consultative Board, and my Amendment, which I hope to bring forward presently, will be in opposition to that principle. I hold very strongly that we should have an assurance from the First Lord of the Treasury that there shall not be a Board to share the responsibility of the President, but that that Minister shall be alone responsible for the new Department.

Amendment, by leave, withdrawn.

SIR R. PAGET: I beg to move the omission of the words—

"And such other persons (if any) as Her Majesty the Queen may from time to time think fit to appoint during Her Majesty's pleasure."

MR. HENEAGE: I hope the right hon. Gentleman will accede to this Amendment. He has distinctly stated that this Board is to remain a Board. What we want to provide is that any other persons of authority may be attached to the staff of the Department, so that the Minister may consult them, and not that they may be attached to the Board, which he will not consult.

*MR. W. H. SMITH: I would prefer to retain these words for further consideration. I think it might be valuable to have it in our power to appoint persons on this Board. But I will consider the question previous to Report, and will then state what course I propose.

SIR R. PAGET: I should like the Committee to take the course most convenient to the right hon. Gentleman and the Committee, and I am prepared to accede to the proposition for the withdrawal of the Amendment.

*MR. CHANNING: I should like to record the opinion that it will be desirable to retain these words.

Amendment, by leave, withdrawn.

*MR. CHANNING: In line 14, I beg to move after "Privy Council" to insert "who shall be elected to the House of Commons." As there will be no Parliamentary Secretary to the Board it would be indispensable that the President should have a seat in the House of Commons so as to be really and directly responsible to the House.

Amendment proposed, Clause 1, p. 1, line 13, after "Council" insert

"who shall be elected to the House of Commons."—(*Mr. Channing.*)

*MR. W. H. SMITH: I hope the hon. Member will not press this Amendment. It is entirely a new proposal to give a direction to Her Majesty as to the position her Ministers should occupy. I am not aware that there is any provision of that kind with reference to any Minister whatever, although of course there are customs which are always followed. I can state my own belief that the President of the Board would, as a matter of course, be a Member of the House of Commons, but I hope the hon. Gentleman will see that it is not necessary or desirable that a provision of this kind should be introduced into an Act of Parliament.

Amendment, by leave, withdrawn.

Clause 1, added to the Bill.

Clause 2.

Motion made, and Question proposed, "That the Clause stand part of the Bill."

SIR G. CAMPBELL (Kirkcaldy, &c.): I should like to move the insertion of the word "horticulture" after the word "agriculture" in line 28. No doubt in this Bill "agriculture" is made to include "horticulture," but I want to emphasize and accentuate the duty of the Board to deal with questions of horticulture. My view is, that the duties of the Board will be much more important as regards horticulture than as regards agriculture. Agriculture is in this country pretty well able to take care of itself. We have in this country, perhaps, the finest agriculture in the world, and it is well looked after by great Societies and by Parliament. As

far as I can see, all that is necessary is that the more backward people of the southern counties in England should go to Scotland to learn the system of agriculture that prevails there. As regards horticulture, however, I think we have everything to learn from foreign countries. In the culture of garden produce, vegetables, eggs, and produce, we are exceedingly backward.

Amendment proposed, Clause 1, page 1, line 28, "After 'agriculture,' to insert 'horticulture.'"—(*Sir G. Campbell.*)

*Mr. W. H. SMITH: I trust the hon. Member will not consider it necessary to press this Amendment. Horticulture is in the Bill distinctly included in agriculture, and we are quite satisfied that the Bill will be as careful of horticulture as of agriculture.

Mr. CHAPLIN (Lincolnshire, Sleaford): I should like to point out that the expression "agriculture" expressly includes horticulture.

Mr. F. S. STEVENSON: Whether the Amendment be necessary or not, I trust the new Department will give careful attention to the subject, and will endeavour to promote the object which the hon. Gentleman has in view. In the American Department of Agriculture, I may point out that there is one division which is specially devoted to botany, another which devotes itself to obtaining seeds from different parts of America, and encouraging their cultivation.

Sir G. CAMPBELL: I quite admit that horticulture is technically included, and, therefore, I cannot press the Amendment if the Government will not accept it.

Amendment, by leave, withdrawn.

Sir G. CAMPBELL: I now beg to propose the Amendment standing in the name of the hon. Member for Leith (Mr. Munro Ferguson), to leave out "and forestry." If the clause stands as it does now, a more prominent position will be given to forestry than is given to horticulture.

Amendment proposed, Clause 2, page 1, line 28, to leave out "and forestry."—(*Sir G. Campbell.*)

*Mr. W. H. SMITH: I cannot accept the Amendment.

Mr. MUNRO FERGUSON (Leith): My object in putting this Amendment on the Paper was to point out that very insufficient consideration had been given to the Report issued by the Forestry Committee some two years ago in relation to this Bill. That Committee recommended the provision of machinery by which the instruction of forestry should be properly undertaken. Under this Bill some half-dozen of the hardest worked servants of the State are nominated to take charge of forestry education in this country. I think that some more serious attention ought to be given to the subject than it is likely at present to receive. Unless we have an assurance that some further provision will be made in the interest of forestry in this country, I do not think any good purpose will be served by leaving the word "forestry" in this clause.

Colonel COTTON (Cheshire, Wirral): I hope this word will be left in, because one of the most important functions the Board will have to perform will relate to forestry. This is the case in which experts will be of most use, and will best promote the interests of forestry.

*Sir J. LUBBOCK (London University): I quite agree with my hon. Friend below me (Mr. Munro Ferguson) in pressing on the Government the desirableness of giving more effect to the recommendations of the Committee, on which both he and I had the honour of sitting. At the same time, while concurring in what he said, I do not arrive at the same conclusion. I should be sorry to leave out the word "forestry" because, by so doing, we might fall between two stools. The Bill does not do all that we could wish, but if we let the word "forestry" stand I hope that under it some at least of what was recommended by the Committee may be effected.

Mr. MUNRO FERGUSON: The provision made under the Bill for the instruction of forestry is so inadequate that it seems to me it would be almost as well to omit the word "forestry" altogether. But I am quite prepared to withdraw my Amendment if we have some assurance that special provision will be made for the teaching of forestry as indicated by the Chairman of the Forestry Committee.

*Mr. W. H. SMITH: I think it will be seen that this sub-section gives a

practical direction to the President of the Board of Agriculture to pay special attention to forestry. He is to undertake the collection and preparation of statistics with reference to agriculture and forestry, and is to provide for the inspection of and reporting on schools in which technical instruction on these subjects is given.

Amendment, by leave, withdrawn.

*SIR EDMUND LECHMERE (Worcestershire, Bewdley): I beg to move, in page 2, line 1, the insertion after "any" of "examining bodies or." I happened to be a member of the Committee on Forestry, and the Amendment I propose bears on the question of making the Forestry Department as useful and practical as possible. I do not suppose that 10 per cent of the men who are engaged in the practical work of forestry derive any benefit from the present agricultural colleges. I believe myself that unless we have some system of examination carried out under the auspices of a Forest Department of the Board of Agriculture, very little progress will be made in practical forestry. The Committee strongly recommended that there should be a Forestry Board, which should provide for examinations and grant certificates, and I may say that those recommendations have been endorsed by no less than eight very important societies and bodies, such as the Royal Agricultural Society, the Highland and Agricultural Society of Scotland, the Royal Dublin Society, and the Office of Woods and Forests. I beg to move the Amendment which stands in my name, and which I believe is calculated to give effect to those recommendations.

Amendment proposed, Clause 2, page 2, Sub-section 2, line 1, after "any," to insert "examining bodies or."—(*Sir E. Lechmere.*)

*MR. W. H. SMITH: I understand that the object my hon. Friend has in view is to secure that recognition shall be given to any competent body which is capable of conducting examinations in forestry. I should have thought that the terms of the clause as they stand would have secured that object, but in order to remove any doubt on the subject, I would suggest the addition after "forestry," in line 7, of the words "and the inspection of and reporting on any examination in agriculture and forestry." The result of introducing those words would be that if there was any competent body constituted to conduct examinations with reference to forestry, it would be the duty of the Board to inspect and report upon such examinations. I do not think we could ourselves undertake to set up an examining body. It has not hitherto been the practice of the State to undertake duties of that character, but it is a very useful function of the State to inspect and report upon schools and bodies constituted for the purpose of conducting examinations or giving instruction. I, therefore, hope my hon. Friend will accept my suggestion.

*SIR J. LUBBOCK: I do not think the words suggested would quite carry out the proposed object, unless it is clear that they would enable the Board to aid the institutions referred to. A Forest School stands in a totally different position from any other school, and every other civilized country in the world has a Forest School. You cannot teach forestry unless you have access to a forest of considerable extent. We have not the words before us, but I hardly think the right hon. Gentleman's suggestion would have the effect intended, and I would suggest that he should consider the matter before the Report.

*MR. W. H. SMITH: I think the hon. Gentleman has hardly mastered the true meaning of the words which would precede those I suggest, and I believe my proposal would have the effect which the hon. Gentleman desires.

MR. BEADEL (Essex, Chelmsford): I should be glad if the right hon. Gentleman could see his way to accept the Amendment.

MR. MUNRO FERGUSON: The object which the Committee on Forestry desired to secure was that the subject should receive the attention of a special Department. The next best thing is that it should have the attention of a special sub-Department, such as is provided for by the Amendment. I think it is much to be regretted that forestry is to be a detail of the work of the Minister for Agriculture, as in my opinion it requires special attention. There ought to be some specific recognition by the State of its intention to undertake the direct encouragement of forestry.

DR. FARQUHARSON (Aberdeenshire, W.): I think we ought to undertake to give instruction to what I may call the small men. The object of the Amendment is to encourage the attainment of a certain amount of knowledge on the subject, by providing the means of examination. If opportunities are given for study, men will go through a practical course, following it up by examination at the hands of a recognized body. As the Amendment tends in this direction, I shall be glad to support it.

SIR WILLIAM HARCOURT: The subject of forestry is one in which I take a great deal of interest; but I confess I have read the Report of the Committee, of which the hon. Baronet the Member for London University was Chairman, and I never read a Report by a Committee so entirely contradicted by the evidence taken. As I read the evidence the witnesses throughout declared their opinion that a school of forestry was not wanted, and would not be of use. Lord Seafield's forest was alluded to; but all the evidence tended to show that it did not offer the opportunities for study that would make the establishment of a school of forestry useful. That was the impression produced on my mind by the evidence before the Committee. I understand the First Lord does propose to require that forestry shall be a matter to be taken into the cognizance of the Board of Agriculture, and very properly so. Those who as woodmen or land agents wish to qualify themselves for examination in forestry will do so as they best can, and the Board of Agriculture will give certificates on examination under such rules as they may provide. That is a far more practical and economical way of dealing with the subject than if you attempted to establish a great school of forestry. I doubt if you could ever do so, for you have not wide extents of forests to deal with as in France and Germany. It is quite proper that the subject should be recognized by the Board of Agriculture enabling persons to get certificates of knowledge.

*SIR JOHN LUBBOCK: I am very much surprised at what has fallen from the right hon. Gentleman. I speak in the hearing of several Members of the Committee, and I may say our Report was arrived at quite unanimously, and certainly they were not under the impression which the right hon. Gentleman seems to have derived from the evidence. I do not think this is the occasion to go into a discussion of the reasons for the establishment of a school of forestry; but I may say that while, no doubt, persons can train themselves for woodmen in large woods, such as those of Lord Seafield, that will not educate them in the higher branches of the subject. Every other great European country has a forestry school. The proposal however now before the Committee is of a narrower character. The right hon. Gentleman has told us that the words "in aiding" will govern the latter part of the sentence. Perhaps he will make this quite clear on Report. That being so, I think the hon. Baronet will have gained his object, and might be content to accept the suggestion of the Leader of the House and withdraw his Amendment.

*SIR EDMUND LECHMERE: My object is simply to provide that a recognized examining body should carry out the work of examination in forestry, but I am perfectly willing to accept the modification proposed.

Amendment, by leave, withdrawn.

Amendment proposed (Mr. W. H. Smith). Line 2, at end to insert—

"And the inspection of and reporting on any examination in agriculture and forestry."

Amendment agreed to.

Amendment proposed (Sir E. Lechmere). Line 11, at end insert the following sub-section—

"The Board of Agriculture may further constitute a Departmental Committee for Forestry."

*MR. W. H. SMITH: I would suggest to my hon. Friend that this addition is quite unnecessary. No doubt the Board of Agriculture has the power to any extent of appointing Departmental Committees, and it will be the duty of the Board to appoint such Committees where necessary, and my hon. Friend will have full opportunity of obtaining full information from the Board when constituted.

MR. MUNRO FERGUSON: I think that this sub-section might be so amended as to provide that the Board of Agriculture shall constitute such a Departmental Committee. Those who are in favour of securing better attention to forestry desire that there should

be some special recognition of this subject. I believe, as was pointed out by the right hon. Member for Derby, that, so far as the present instruction in forestry goes, the opportunities offered in our forests are of an extremely limited character; but I believe if the subject were properly taken up, there would be large additions to the planting for the raising of timber. I would amend the Amendment by inserting "shall," instead of "may."

*MR. LAWSON (St. Pancras, W.): It seems to me that naturally after the passing of this clause the Board will be bound to appoint a certain number of trained officers to perform this part of the Departmental duties, and the Amendment is quite unnecessary. The Department will work out its system like any other.

Amendment, by leave, withdrawn.

Clause 2, as amended, agreed to.

Clause 3.

Motion made, and Question proposed, "That the Clause stand part of the Bill."

MR. T. ELLIS (Merionethshire): May I ask whether it is proposed to include under this clause the management of Woods and Forests and Crown Lands?

MR. W. H. SMITH: I imagine that the Department of Woods and Forests being a Government Department it is naturally within the power of Her Majesty in Council to transfer to the Board of Agriculture any duties She may judge will be more fitly discharged by the Board than by the Commissioners of Woods and Forests.

Clause agreed to.

Clause 4.

Motion made, and Question proposed, "That the Clause stand part of the Bill."

*MR. H. H. FOWLER: On the Second Reading of the Bill there was a general understanding to which the Government assented that we should not create a new and expensive staff in creating this Department. What we are doing is to utilize existing machinery, bringing it together and putting it under one head responsible to Parliament. Under Clause 8 there will be transferred to the new Department the officers attached to the Privy Council Department of Agriculture and also to the Land Commission. These will constitute a costly, numerous, and, I believe, a very efficient staff to discharge the duties of the new Department. Now, the clause empowers the Board to appoint a Secretary and such officers and servants as the Board may determine; but I want to save the First Lord from the trouble and anxiety that will arise, and the gentle pressure that will be put upon him—and I am not sure that the hon. Gentleman near him will not be one of his tempters—to provide some gentleman with the post of Secretary. I have no fear of the Government so far as officers and servants generally are concerned—no doubt they will utilize the existing staff of clerks—but I have some fear in regard to the appointment of Secretary. I think, however, that in the existing staff of the Privy Council or the Land Commission there could be found many gentlemen admirably qualified to discharge the duties of Secretary to the new Department. It is to save the First Lord from the pressure that may be put upon him, to find a new appointment for some gentleman whose claims, no doubt, may be well supported, that I move this Amendment, which will apply in the first appointment, not in subsequent appointments.

Amendment proposed, in line 37, at end, to add—

"Such secretary, officers, and servants shall on the first occasion be appointed from the persons transferred and attached to the Board of Agriculture under the provisions of this Act."

*MR. W. H. SMITH: I have no reason to complain because the right hon. Gentleman wishes to save me trouble and anxiety in the discharge of my duty to the country. The right hon. Gentleman is well aware that it falls to the lot of the First Lord of the Treasury to make such appointments, and in the discharge of this duty, my right hon. Friend the Chancellor of the Exchequer and myself have taken a good deal of trouble in past years. But I am able to state, with some satisfaction, that with one or two exceptions necessary under exceptional circumstances we have prevented the entry into the public service of any first-class clerk during the past two years. Vacancies have, in 25 instances, been filled by transfers from other Departments, thus securing a distinct economy in the administration of the

Public Service. I mention this, not as claiming any amount of undue credit, but as indication of the spirit in which we intend to proceed in what we consider our duty. The right hon. Gentleman's Amendment points specifically to the Secretary of the new Board of Agriculture; and I wish to assure him and the Committee that the Government will endeavour to the utmost of our ability to provide the Secretary from the staff of the existing Departments. I believe there is no Gentleman to whom greater credit is due in discharge of duties, sometimes of great responsibility, under the Privy Council, duties of a nature similar to those that will devolve upon the new Department, than Mr. Lennox Peel, Secretary to the Privy Council, and if we can induce Mr. Lennox Peel to undertake the responsible duties of Secretary, the Department will greatly gain from his services. I mention this name, and I might mention others, but I think the Committee will see that to make it absolutely imperative on us to find a Secretary from those Departments might possibly place us in considerable difficulty. Our object has been to fill up vacancies as they occurred by transfer, and we have done so in almost every case. In these circumstances I hope that the right hon. Gentleman will accept my assurance that, if possible, we will carry out the spirit of his Amendment, and that no effort shall be wanting on our part to respect economy combined with efficiency. I hope he will not press his Amendment, but accept my assurance of a *bonâ fide* intention to give effect to the suggestion he makes.

*Sir J. LUBBOCK: I quite concur in the spirit which prompts the Amendment, but I would venture to point out that if it were adopted as it stands we should have nobody connected with the Department knowing anything about forestry. The Committee have already decided that there should be no special provision for providing a Department of Forestry, because the Board will have the power of instituting such a Department, but if we limit the power of the Government, and insist on their taking the secretary and staff from the existing Departments, I am afraid it would be almost impossible to obtain that special knowledge of forestry which is desired. We all agree with the general spirit of the Amendment; but it will probably be better to leave the matter to the discretion of the Government.

*Mr. H. H. FOWLER: The spirit of the right hon. Gentleman is all that I could expect or desire in answer to my Amendment. I think the pledge he has given is quite as sufficient as if formal words were inserted in the Bill. Certainly, I can bear testimony to many cases which have come within my knowledge, in which the right hon. Gentleman has prevented the filling up of sinecure offices in the Civil Service, and has effected economies by transfers, and I hope the system will continue and be carried out, and more extensively. I am quite satisfied with the undertaking which the right hon. Gentleman has given, and I wish to withdraw my Amendment.

Amendment, by leave, withdrawn.

Clause 4 agreed to.

Clauses 5 to 7 agreed to.

Clause 8.

Motion made, and Question proposed, "That the Clause stand part of the Bill."

*Mr. H. H. FOWLER: In this clause I propose to substitute the word "all" for the words "such of the." I wish the transfer of the staff to be complete. If a discretion is vested in the Board of Agriculture or the Treasury, there will be a number of clerks and other servants who will ask for pensions or retiring allowances instead of continuing service under the new Department.

Amendment proposed, line 29, to leave out "such of the" for the purpose of inserting the word "all."

*Mr. W. H. SMITH: There is some difficulty in adopting this Amendment precisely. There are officers who are engaged both in the Department of Agriculture and in the ordinary duties of the Privy Council Office, and to adopt this Amendment would mean to transfer gentlemen who would not have a sufficient amount of work.

*Mr. H. H. FOWLER: That objection might be met by the words "all persons exclusively employed." But I do not wish to spring an Amendment on the right hon. Gentleman without consideration. Perhaps he will consider the point between now and Report?

I see the difficulty he indicates, and will not press the Amendment now.

*MR. W. H. SMITH: If it appears necessary in the public interest that our hands should be strengthened as the right hon. Gentleman suggest, I will introduce these or other words for the same purpose on Report.

Amendment, by leave, withdrawn.

*MR. CHANNING: The intention of my Amendment is obvious, and I need only move it formally to ask the right hon. Gentleman whether it is not desirable that the new Board should be consulted upon the transfer of officials. I think the President of the new Board should have a voice in the appointment of officials in his Department.

Amendment proposed, line 32, after "as" insert "the Board of Agriculture with the assent of."

*MR. W. H. SMITH: I think the responsibility of selection must be left to the Privy Council and the Treasury, and it will be better so than to throw it upon the new President, who perhaps may have little knowledge or experience of the Department, and might be subjected to influences to which it is extremely undesirable he should be exposed.

*MR. LAWSON: This discretion would be most dangerous. The President would be able to pick and choose among existing officials. Those rejected would retire upon abolition terms, as has been so often the case upon the reorganization of Departments, and the Exchequer would have another shameful addition to its burden of pensions.

*MR. CHANNING: I may point out that the responsibility would remain with the Privy Council and the other Departments. I simply asked that the new Department should be consulted as to the selection of its officers, but I do not wish to press the Amendment.

Amendment, by leave, withdrawn.

Clause 8 agreed to.

Clause 9.

Motion made, and Question proposed, "That the Clause stand part of the Bill."

*MR. H. H. FOWLER: I must press the second Amendment of which I have given notice, to substitute "shall" for "may." The proviso is to the effect that any person who holds office as Land Commissioner for England at the passing of this Act may be assigned such position in or under the Board of Agriculture as Her Majesty may direct. I wish to raise the question whether the Land Commissioners are or are not to be attached to the Board of Agriculture. I want to put it beyond doubt. The right hon. Gentleman will see it is not a matter for discretion in regard to these highly paid servants of the State; it should be a clearly expressed intention not open to question. I, therefore, now move that the word "may" be struck out before "be assigned," and the word "shall" substituted for it.

Amendment proposed, page 4, line 12, to leave out "may" and insert "shall."

Question proposed, "That the word proposed to be left out stand part of the Clause."

*MR. W. H. SMITH: I am not indisposed to accept the Amendment. I think we practically mean the same thing. The right hon. Gentleman is aware that a vacancy on the Commission has not been filled having this Bill in view. As regards the use of the word "shall," I was always under the impression that "may" did mean "shall" in such cases. I do not like to use stronger terms than are necessary. It is the intention of the Government to assign this position to the Land Commissioners now serving the Crown, a position adequate to that they have held in the past. I fully recognize their services, and I hope they will be content to occupy this position. I do not know if, under the circumstances, the right hon. Gentleman thinks it necessary to make the verbal alteration. We have the same intention.

Question put, and negatived.

Question, "That the word 'shall' be inserted;" put, and agreed to.

Clause 9, as amended, agreed to.

Remaining clauses agreed to.

Bill reported to the House; as amended, to be considered upon Thursday; to be printed. [Bill 285.]

BANN DRAINAGE BILL. (No. 257.)

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read a second time."

*Mr. STOREY (Sunderland): Mr. Deputy Speaker, I rise to propose the Amendment which stands on the Paper in my name, but in a rather altered form. I propose "That this House is unwilling, under existing circumstances, to grant further sums from the Imperial Exchequer for local drainage improvements in Ireland." I regret that on this occasion I should appear to be in antagonism to the interests of Ireland. I feel sure, however, I am seeking her best and truest interest in moving this Amendment. This Bill and the sister Bills involve an advance by way of loan of a sum of half a million from the British Exchequer, and a free grant or free gift of about a million sterling out of the British Exchequer for purely Irish local purposes. Sir, I oppose this proposal on various grounds, because the House has experienced failure in this direction, because the Bills are not the outcome, with one exception, of local initiation, because they are not framed in concert with the trusted and acknowledged leaders of the Irish people, because it is unjust to lay the greater portion of the cost of local drainage work in Ireland upon the British taxpayers, many of whom are already heavily burdened, and, lastly, because the Bills represent that hybrid policy of mingled coercion and bribery which ignoble and unstatesmanlike in itself, has proved fatally futile during a mournful past. I will, of course, confine myself to the Bann Bill which is before the House, but it will be necessary that I should briefly exhibit, if the House will permit me to do so, the dimensions and scope of the policy of which we have now the latest, and, as I hope, final sample. The House is, of course, aware that it has been the policy of successive Governments to advance and to give—I use the two words as expressing in the one sense a loan, and in the other a free gift—for public works and for local works in Ireland enormous sums from the British Exchequer. But although the House is aware of this it may not be within the knowledge of hon. Gentlemen that the amount advanced for Public Works in Ireland during a considerable number of years is no less than £35,617,000. Now, Sir, out of this large sum advanced, and which ought to have been repaid to the taxpayers, there has been written off no less a sum than £7,953,000—in other words 8 millions out of 35½ millions which should have been repaid to us, never has, for various reasons, be repaid. That refers to grants in Ireland, as a whole, but coming to the particular matter which is before the House, I find that apart from free gifts of money made during past years for drainage purposes in Ireland, there has been advanced a total in round numbers, of £2,800,000, all of which ought to have been repaid, but of which no less a sum than £1,200,000 has been written off by Parliament because of that impossibility of obtaining what was due. All this money, Sir, is lost to the British Exchequer. I was struck with the amount that had to be written off, but I was more struck with the reasons given for the writing off, because I find the reasons given for writing off this enormous sum of money as a bad debt and lost to the Public Exchequer were these—solemnly given by a Department of Parliament and accepted by Parliament—firstly, the inadequacy of the benefit which was to be derived from the works; secondly, the remote period at which the persons who were to be benefited could expect to benefit at all; and, thirdly, the enormously increased cost over and above the estimate at which these works had been carried out. Now, Sir, the drainage works of Ireland, so far as they have been carried out by, and under the control of, Parliament, have been carried out, namely, under two Acts—the Act of 1842, supplemented by the Act of 1847, and the Act of 1863; and I beseech the particular attention of any who are interested in this question to the difference in the results achieved under these two Acts. Under the Acts of 1842 and 1847 the number of drainage schemes actually carried out I cannot say how many of them were finished, or how many of them were of use when finished, was 121. It was estimated originally that the cost of these schemes would be £1,310,000. By a Return published in 1858 I find the actual cost was £2,110,000, being an increase of 60 per cent; and there was written off this a sum of £1,207,000, or much more than half the original cost. In other words, the original Estimate

having been £1,300,000, practically the State has paid the whole original Estimate, and has in other ways contributed towards the balance of extra expenses. Now, Sir, the Irish Board of Works initiated these projects; the Irish Board of Works carried them out; the Irish Board of Works never consulted the population; the Irish Board of Works, as I say, practically provided the money, as a gift or as a loan. And what was the result? The result was this—waste in the carrying out of the works, and failure in the consequences of the works. I admit freely that in a certain number of instances there has been success. I do not mean at all to pledge myself to this—that all the works carried out by the Irish Board of Works were bad and insufficient; but I think the figures and the facts, if hon. Members choose to examine them—Members from Ireland I know have done so—demonstrate that under that system of carrying out the works the result, as I say, was that there was waste in the expenditure, and failure in the issue. Now, in 1861 and 1862 that system was admitted to be a failure, and so admitted to be a failure that Parliament altered the system, and passed a new Act in 1863. Under the Act of 1863, 42 schemes of drainage were, or are, being carried out. The cost, all of which has been advanced by the State, has, up to the present moment, been advanced by way of loan to the amount of £747,000. The amount repaid at the date of the last Return was—of principal, £150,000; of interest, £130,000. Not a single penny has been lost, or is likely to be lost, except in the one case of the Suck, under the schemes carried out under the Act of 1863. But now, Sir, what about the schemes of 1863? What was the policy then? Under the Act of 1863 the people of the district initiated the scheme; the people in the district control and carry out the schemes; the people in the district may, if they like, find the money; but if they do not, Parliament has power to lend it. I do not think the right hon. Gentleman the Chief Secretary for Ireland will deny that the figures and facts available for consideration demonstrate that, under the old system of 1842 and 1847, the result was loss to the State; but that under the system initiated in 1863, and which is yet extant, there has been resulting no loss to the State, and whereas in the former case many of the projects were partial or wholly failures, under the altered system, I believe, a very great portion of the 42 schemes carried out have been useful and beneficial to Ireland. I emphasize the difference between the results obtained, because I want the House to agree with me that the cause of that is simply this—that in the one case local initiative and local interests and local control existed; whereas in the other case the Government, or a Department of the Government, went down and bestowed upon the people what they never asked for, and which in many cases they did not want, and so did what all Governments must do in similar circumstances—failed in securing what they wanted to achieve. The successful method of 1863 is, under the Bill of the Irish Secretary, to be entirely set aside. Yet he, perversely, as I shall prove—I do not mean that I shall prove his perversity, but I shall state the facts, and I hold them to be perverse—returns to the old, discredited policy of 1842 and 1847. He does not follow the representations of his own Royal Commission, but he proposes a new Board whose purpose it is to go down to the people, and not to meet them like men, but like a wheedling nurse to say—"Open your mouth and shut your eyes, and see what Goody, in the shape of a new Commission, will send you." I say that the Chief Secretary is ill-advised that he does not go upon the policy of 1863; I think he was more ill-advised being Secretary for Ireland, and not Secretary for a section of Ireland, in not consulting the representatives of five-sixths of the people of Ireland. Suppose when Secretary for Scotland—a position he once held—he had proposed four Drainage Bills, would he have dared to come down to this House and say he proposed them without some sort of—I do not say official—but unofficial communication with the people of Scotland, through their Representatives in this House? But he comes down here to-day, as far as Ireland is concerned, without consulting the people in the districts that the Bill affects, or the Representatives of the people in this House, and he proposes measures for the drainage of four districts in Ireland; and this under a policy which means mis-

management, waste, and failure, want of concert with the Irish Leaders, all of which considerations compel me to say that I object to this scheme as a whole. I will take the Bann Scheme, and I will undertake to prove, with respect to it, three or four allegations I made in the early part of my speech. The Bann, as I suppose every one knows, flows into and out of Lough Neagh. It has been treated under the Acts of 1842 and 1847, under which there has been spent on its drainage £264,000, of which the Government made a free grant of £109,000, advancing the rest. I do not know how much of the latter sum has been repaid, or how much is outstanding. Now, the result of the operation conducted by the Board of Works without reference to the people was at first partially advantageous; but, finally, it has been found that the advantages which accrued from that large sum of money are exceedingly trifling, and in some instances new evils have been created where old ones were mended. That is not my opinion, but the opinion of the Royal Commission which the Government appointed, and which reported two years ago. The Government, undeterred by the failures of the past, propose now to spend £65,000 more on Bann drainage, dropping the navigation scheme, spending part of the money to do away with the evil consequences of the navigation scheme, recognizing at last that drainage and navigation schemes do not go well together. The proposal of the Government is that this £65,000 shall be provided as follows:—The lands to be specially dealt with are to contribute £8,000, or one-eighth of the whole. The county cess of the area to be created is to pay the cost of £37,000, and the Government propose a free grant out of the public money of £20,000 in order to make up the total of £65,000. Now, there is one point about this new proposal, at any rate, which pleases me. I am thankful to say that the Chief Secretary has thrown over the Irish Board of Works, as far as the Bann is concerned. He is not going to be troubled any more with them. He has found them to be a failure in this, as he will find them to be a failure in other matters. In order to carry out his scheme he is creating a new Board, which he calls a Commission. It is to be composed of three English engineers and one Irishman who does not know anything about engineering. A more extraordinary proposition was never made to this House. If the Chief Secretary had come down and confessed that the Irish Board of Works had failed, and had proposed representative Irishmen as a new Board, if he had consulted the Members who represent the majority of the Irish people, and had nominated one of their number, even if he had balanced him by the Member for North Armagh, I say a Board like that might have commanded some sort of assent on this side of the House, even although it labours under the fatal defect that it is in no sense elected by or representative of the people. But when it is proposed that three English engineers, I daresay very worthy men, and an Irishman, also, no doubt, a very worthy man, but who will be in the hands of the engineers like clay in the hands of the potters—I say, when the right hon. Gentleman proposes a Board like this, I fail to be able to give my personal sanction to his proposals. This new Board is to have a whole set of officials—engineers and clerks—and doubtless it will have to appoint some one to the dignified position of Secretary. A considerable sum will have to be provided for this new English Board to manage the affairs of Ireland. In fact, the Chief Secretary seems to be determined to satisfy the Irish people that if they are to be saved by works it shall not be works of their own. Then I have a more serious objection to make to the proposal. Why is this House, and especially the English, Scotch, and Welsh Members, to be asked to vote £20,000 out of the Public Funds to enable this Board to carry out its business? The Chief Secretary said it was only fair that these poor districts of Ireland should be helped by a generous Parliament and a generous British people. But who says that the Bann district is poor? Why should we spend money out of the Exchequer to help the people of the Bann district to drain their lands more than to enable the people of Oxfordshire to drain their lands? The land is not poor. He will doubtless tell me that he founds himself on the Report of the Commission. But I say that his proposed scheme for the Bann

drainage deliberately runs counter to the basis of the scheme of his own Commission. What does the Commission recommend? At page 507 they say—

"The initiative of measures shall rest with those interested, and on the motion of such persons the Government shall frame a scheme to be embodied in a Provisional Order. 3. The Conservators shall have wide powers of doing works."

In fact, glancing down the whole of the recommendations, I find that they declare that the Conservators are to be elected by the people. They are to initiate, they are to plan, they are to get estimates, they are to do the works, they are to assess the cost, and they are to raise the money. The right hon. Gentleman's plan is the very opposite of that. He sends down this English Board, and the only time the people are at all interested in the matter is that they are called upon to elect a Conservancy Board which is not, however, to act or do anything until such time as the whole of the works have been completed. The Chief Secretary is really reverting to the evil system, and the effect of it will be exactly the same as in the old time, namely, the estimates will be exceeded, and the ultimate results will be trivial. The policy of 1842 was, as he said, for the Government to initiate, and for the Government to do everything. Mark what the Commissioners say:—

"The first question that arises is whether a return shall be made to the old system which was in force between 1842 and 1863, under which drainage schemes were not only initiated by the Government, subject to local approval, but were undertaken, designed, and carried out entirely by the Government officials. We have considered this method of procedure, but we cannot recommend that it should be again adopted. No doubt some of the evils which it gave rise to in an earlier period may not be expected now, but the grest objection is that the responsibility was removed from the persons most interested, and thrown on others having no local concern in the matter. The possibilities of change on the part of the Government in regart to this subject, such as occurred in past years, the danger of discouraging habits of local self-reliance and fostering dependence on a central government—these considerations, in our judgment, outweigh any advantages which might be hoped for from any such direct use of Government agency in carrying out drainage works as existed under the Act of 1842."

In face of that strong and vehement consideration of the Act of 1842, the right hon. Gentleman makes it the basis of these Bills, though it is true he substitutes for the Board of Works a new Board which he calls by some new-fangled name. This new Board is entirely unconnected with the localities, yet it is to initiate and carry out works just as under the Act of 1842. I cannot conceive how the right hon. Gentleman can say that these Bills were founded on the Report of the Commission. In my opinion, they go counter on this serious and vital point to the recommendations of the Commissioners. Why did we give this £20,000? It may probably be urged that the district is poor, but I deny that this £20,000 has been suggested because the district is poor. It is proposed, because the Irish Board of Works has blundered so in the past, and has made such gross and terrible mistakes that the Commissioners suggest that now we ought to make some compensation to the people of the district by giving them £20,000. That cannot be disputed, because the Report on the Bann states some very curious things. They proposed to lower the bed of the river, and in order to do that, they left dams across the bed at certain distances, and they scooped out the earth and sand and stones, if there were any, between the dams. They left dams across the bed of the river like the rungs of a ladder, and they turned on the water, and left it to take its course. What was the result? The Commissioners tell us that for the first few years there was very much more room for the water to flow, and that there was some benefit from it. But gradually in the winter seasons there were deposits in the gaps between the dams, and in the course of ten years the bed of the river was as high as ever, and in consequence no good result was achieved. It is upon the ground of the shocking mismanagement of the Irish Board of Works in the past, and that ground alone, that the Commissioners recommend that we should give now, out of the public exchequer, £20,000 to help the people of the Bann district. That we are to give £20,000 in expiation of the mistakes of the old Board seems to me an extraordinary thing. If the Irish Board of Works, or the officials who had charge of the

works, could be made to pay, I should not object. But this vicarious mode of compensation, under which my constituents, who are called upon to pay their portion, to expiate the offences of 40 years ago, I do not agree with, and it is a method I cannot support. I certainly dispute that it is a proper thing to come to Parliament for aid to carry out local works. This work on the Bann may be a very good thing for the people of the Bann district. I hope it may turn out well, though I have got doubts of it. First of all, I think it will cost a great deal more than has been said, and the good results will be more than counterbalanced by the evil results not yet apparent. But even if it is admitted that it is a good work for the Bann and for the people of Ireland, why should the people of England be called upon to pay towards it. It seems perhaps hard-hearted on the part of a representative of a rich nation to say that they are not disposed to help the people of a poor nation. I, for one, am prepared to take that hard-hearted line, if you choose to call it so. I have for years supported the Irish people in their demand for self-government. My policy has been always to treat them like men, and one of the prerogatives of men is that they should pay their own way. Upon that ground I certainly feel myself entirely consistent, when to-night I say that I love Ireland, and seek her best and truest interests, that it is not because I love Ireland less, but because I love justice and sound policy more, that I am compelled to protest against these Bills. Take our own land. Is it an extraordinary thing for great local works to be undertaken locally? Take the North Eastern Coast, where we have the Tyne, and Wear, and the Tees, at the mouth of each river there are great works being constructed together with seaside works. We are doing those works at our own cost. We are not asking this House for money. We find it as best we can, and on the best terms we can. We expect to get a commensurate return, it is true, but that is the case with regard to the Bann also. Therefore, the two cases are on the same footing. But the Government urge they are going to carry out the great work of pacifying Ireland. I do not mean by these little Bills alone. We quite understand that these Bills are only the forerunners of many other and similar Bills, which will be presented to this House by-and-by. I say the Chief Secretary fondly hopes by such Bills as these to succeed in pacifying Ireland, and making under his rule a happy and contented people. Doubtless that is a great public object to achieve, and the Chief Secretary is perfectly justified in putting it in argument before the House. But to revert to our North-Eastern District, we are expending millions on our harbour works, which are not only for the purposes of trade, but will afford protection to life and property at sea. We are practically making harbours of refuge, and we are thereby securing a great national object—quite as important an object in my opinion as the pacification of Ireland. The people of Bann, who are competent to pay for their own works, come to petition for money, and it is pleaded that in addition to the benefit to themselves there is a great public object to be served. We on the North-East Coast can equally plead that by our works, in addition to trade objects, we achieve a great public benefit by affording shelter to life and property at sea from storm. But we do not ask Parliament for any money. The rule has been laid down that in all these matters which are mainly, though not altogether, local, the expenditure shall be local, and it is only on that safe and sure rule that Parliament can act in such matters. Why should we, Liberal and Radical Members, consent to-night to give £20,000, the said £20,000 being the first of hundreds of thousands of pounds to come? We do not mean to assist the Government in any such way. The policy of the Government is a very simple one. They propose to dragoon the Irish people into quietness if they can, and when they have got them into enforced quietness, then to bribe them into friendship if they can. I say deliberately that this is a policy of bribery to Ireland, deliberately conceived and deliberately carried, and bribery at the expense of the British Exchequer. The Chief Secretary is too discreet a man to say everything that is in the soul of the Government. I should like to draw the attention of the House to a very curious speech made some years ago by the noble lord the Member for

Paddington. It will bear reconsideration in the light of these Bills:

"It is high time to pull up. Concede nothing more to Mr. Parnell, either on the land, or on the franchise, or on Local Self Government. We have gone in three short years too far, and we have gone too fast. The hill is very steep, and the drag has not been sufficiently weighted, and unless we take a long pull, the horses will get away from us."

Now comes the curious part:—

"Develop if you like, in any way you may, the material resources of Ireland. Advance public money on the easiest terms for railways, tramways, canals, roads, labourers' dwellings, fisheries, and objects of that kind. We owe the Irish a good deal for our past bad Government. And if we are not stingy there are few injuries, however deep, which money will not cure."

Anything more brutally frank as an exposition of policy, I never read in my life. It marked the inward contempt which the noble Lord felt for the people of Ireland. And it is in some such spirit that the right hon. Gentleman proposes his scheme to-night. I am told the Irish Members are not going into the Lobby against this Bill. In fact one of them told the Chief Secretary:—

"We know you are going to bribe us. We will take your money, but we will bear you no gratitude."

That is a cynical confession. It is not a high souled one. It is not one that commends itself to me as that which should be made by public spirited men. If anyone came to any of us in his private capacity and sought to offer a bribe, every sentiment of decency and manliness within us would lead us to reject it. ["No."] Well, then, I will speak for myself. If I were an Irish Member, and such an offer were made to me by the right hon. Gentleman, I would fling his bribe back in his face, and say, "I want nothing more from you except justice and the right to manage our own affairs." I ask myself, what are English Radicals and Liberals going to do? I never have any communication with right hon. Gentlemen on the Front Opposition Bench, and I cannot say what course they may take, but I would venture to suggest that this little question should be looked at in the light of a larger question that is coming. If this were a question of £20,000 alone, or of £350,000, or even the whole million, under the five Bills, I might still have been silent. But we all know that these Bills are the beginning of projects which will be matured by-and-bye, with the ultimate result that the British Exchequer will be involved in responsibilities for, perhaps, more than a hundred millions. It has been signalled to us that next year we shall very probably, almost certainly, have an Irish Land Bill, with the object of buying out one set of landlords in order to create another set of landlords, by money to be provided mainly by Great Britain, and to be administered by a Government in antagonism to the people of Ireland. I shall resist the thing from the beginning to the end, knowing what the cost was to the Liberal Party in the election of 1886 of the right hon. Gentleman's (Mr. Gladstone) proposal to advance a large sum of British money for buying out Irish landlords. It was the explanation of many of our defeats, and of our diminished votes in many districts. I trust the lesson taught then may have a good effect, and that now we shall take this early opportunity of resisting this first measure proposed by the right hon. Gentleman, not merely because it is likely to be inefficient in itself, and to be administered by a Board unelected by and non-representative of the Irish people, but because it is founded on a proposal to give grants from the British Exchequer for purely local objects in Ireland. For these reasons, and not without regret that I have to take the line I have taken, but, nevertheless, in the firm conviction that I am taking the right and just line, which a lover of Ireland and a supporter of the interests of his own country ought to take, I move the Amendment which stands in my name.

Amendment proposed, to leave out from the word "that" to the end of the Question, in order to add the words,

"This House is, under existing circumstances, unwilling to grant further sums from the Imperial Exchequer for local drainage improvements in Ireland"—(*Mr. Storey*)

—instead thereof.

Question put, "That the words proposed to be left out stand part of the Question."

*MR. T. W. RUSSELL (Tyrone): I think that when the hon. Gentleman the Member for Sunderland (Mr. Storey)

talked of the amount of money advanced by the British taxpayer, he might have remembered that there is such a thing as an Irish taxpayer, who, after all, has contributed a good deal to the Imperial Exchequer. He has referred to the sum of £38,000,000, of which £7,000,000 had been written off, but most of the £7,000,000 in question were advanced at the time of the famine, and ought to have been given as a grant, and not as a loan. I think the hon. Gentleman has rather misrepresented the Bill, for, had he read it carefully, he would have seen that the new Board it is proposed to set up will consist of a Commission which is to draw up a scheme. This scheme will then be submitted to a Conservancy Board who are to be elected by the people. And what are to be the powers given to that elected body? Why, they will have power over the whole thing, including the sanctioning of the necessary works and their construction. This is not a return to the policy of 1841, as there is no connection between a veto to an elective body and the policy pursued in 1841. The hon. Gentleman would not have objected had the Chief Secretary proposed to make the Drainage Board a political Board. In that case he might have approved of it.

*Mr. STOREY: No.

*Mr. T. W. RUSSELL: If the Chief Secretary had added the hon. and gallant Gentleman the Member for North Armagh, and a Member from below the gangway, the hon. Member for Sunderland would have approved of the Commission; but, for my part, I do not think he would have improved his scheme for the drainage of the Bann by adding the political element to the composition of the Commission. I sailed up the Bann, a distance of about 120 miles, last week, and inspected the works; and whatever hon. Members may say of the Board of Works (and they can hardly make that Board out to be worse than it is, for it has been one of the most striking failures any country ever produced, and had this Bill proposed to trust to that Board I should have been inclined to have opposed it) this much must be said of the navigation works undertaken by that Board, that they are good and substantial, and are in good repair at this moment. The British and the Irish taxpayers should remember that £250,000 has been spent already, and the real question is, whether by a small additional expenditure that is to be made productive? In the district itself two schemes have been talked of. There are many who say they would prefer to have the navigation works swept away, so that the water might have free course, and no further expense be incurred. I am perfectly satisfied that no engineer who has inspected the Bann will be of that opinion, as every engineer who has made the inspection has declared that that would not be sufficient. The other scheme is that which is proposed by the Royal Commission. Well, what is it that it is suggested? It is not proposed to abolish the navigation works; it is intended to leave the locks intact, to widen the river, to erect sluices, and to construct embankments at certain points. I believe the scheme to be a good one, and I believe that the sum of £65,000 which is asked for is not too much to carry out the great work, on which so much has already been spent. I would appeal to the Chief Secretary as to whether he will not re-consider the question of the Shannon, and take from the Board of Works the control it is proposed to give that body, who have botched what they have had to do from the beginning; in fact, I know of no work they have had to do which they have not bungled over and botched, and I would not trust them with any measure of the kind. Believing the scheme, as to the Bill immediately before the House, to be a good one and the cost reasonable, I am glad to support the second reading of the measure.

Mr. COSSHAM (Bristol): I am inclined to look on this proposal from the British taxpayers', and not from the Irish, point of view. The Government policy seems to me to be this—on the one hand to strike the Irish people with a stick, and on the other hand to offer them a bribe. That is a policy which I cannot support, and which I hope the Irish Members will not support. This measure asks only for £65,000; but it is proposed altogether to take £385,000 from the general taxation. Now, I come from a district which suffers a good deal from floods. In the neighbourhood of Bath

and Bristol, within the last two or three months, we have had floods which have cost us over £100,000; but we are not stupid enough to come and ask the Government to give us a grant to put right that which we can put right for ourselves. What we object to is that while it may be right to drain the Bann district, the money of the British taxpayer should be asked for that purpose. I am, therefore, here to protest, on behalf of my constituents, against this form of Imperial grant for purely local purposes. Moreover, I believe that this proposal is made very largely in the interest of the Irish landowners, because a scheme for draining their property must be for their benefit. They want first to increase the value of the land and then sell it; while, for my part, I should prefer to see the value of the land run down before we are to be called upon to buy it. That is what the scheme really means, and it may as well be openly stated. The Irish landowners are putting pressure on the Government to spend money in the purchase of their land, and this is a part of the policy that is to be carried out in their interests; but it shall not be carried out this time without being exposed. Every penny of this money is wanted to put cash in the pockets of the Irish landlords, and I hope that the Representatives of the English constituencies will oppose all these schemes tooth and nail. For these reasons I am here to second and support my hon. Friend in the Amendment he has proposed, and which comes before the one I have placed on the Paper. I quite agree with the hon. Gentleman the Member for Tyrone that the Irish Board of Works is not to be trusted in regard to these matters, though it is the Shannon Bill and not the present Bill that raises this point. What I object to is the allocation of the British taxpayers' money for purely local objects in Ireland. Scotland would not come here and propose such a scheme; the Scotch people prefer to manage their own affairs in their own way. I trust the House will refuse to give its sanction to a Bill with such an object as that to which I have called attention.

SIR W. EWART (Belfast): The hon. Member for Sunderland has dwelt on the amount of money that has been lost in works that have been undertaken in Ireland, and I think he has made a great deal too much of that point. It has been said that this money has been lost through bad management—not altogether on the part of the Board of Works—but bad management on the part of those to whom the money was entrusted. Of this we have from time to time heard in this House many notable examples; and I do not think that it can be regarded as any ground for the rejection of this Bill. As to the Board of Commissioners proposed, I think it a very representative Board, and one which I trust will amend all the errors that have been previously committed in regard to these matters in Ireland. I trust that this Bill will pass, and that the works it will authorise may be carried out in a complete and effective manner. I do not concur in the remarks of the hon. Member who last spoke with regard to the British taxpayer, as I am one of those who think that in the past the sum of money spent in Ireland has been altogether out of proportion to the amount spent in England, and that instead of this Bill being a proposal to bribe Ireland it is one for the payment of a debt due to that country. Ireland has had a great deal to struggle against. In the olden times—in the days of her manufactures—Ireland had a number of small industries—her iron works and cotton factories, and so forth, but she suffered greatly from the introduction of improvements effected in machinery, and, being unable to avail herself of the progress of mechanical science as England did, she lost nearly all the manufactures which used to give employment to her people. I recollect well when there was a large cotton trade done in Ireland, but that has been almost done away with by the competition of the English manufacturers; and I cannot blame the Irish people for having failed to keep pace with this country. Again, I would say that something is owing to Ireland on account of Free Trade, for whatever benefits England may have gained from Free Trade in Ireland, which is purely an agricultural country, it has been a source of great injury. I hope the House will pass this measure and those which are to follow it, and that Ireland will be enabled to derive great benefit from them, so that a better state of things may grow up in that country.

COLONEL NOLAN (Galway, N.): The hon. Gentleman the Member for Sunderland has stated that this Bill is put forward in the nature of a bribe, and before I go into the moral question as to whether it is a bribe, I will refer to the material question. Either we are going to receive the grant proposed or not; for my part, I positively deny that it is a grant to Ireland. Let us suppose the whole million in relation to these several schemes is voted by the House. I suppose the hon. Member for Sunderland will agree with me that it cannot be spent in less than five years, which would be at the rate of £200,000 a year for that period. Now although I can quite understand the hon. Member calling this a bribe, I maintain that the money will really come from exclusively Irish funds. The Returns I moved for show that the amount of money paid into the Exchequer in 1882 by Ireland was £8,889,400, of which £7,011,000 was spent in Ireland. But of this £4,000,000 were expended on the Army and Constabulary. No doubt the £200,000 I have referred to would do as a great deal of good, which is more than can be said for the £4,000,000 spent on the military and police; and if you would only let us have the spirit and tobacco duties for the material improvement of the country, we should not need to ask you for a half-penny more. Instead of this you say "we give you £200,000 a year as a bribe." I deny this altogether, and I say that if we do get these Drainage and Light Railway Bills we shall be merely getting a little of our own money, and spending it in the way we wish it to be spent. But, supposing that instead of spending four millions on the Military and Constabulary in Ireland you only spend two millions, the balance of two millions could be expended in industrial improvements. These are the grounds on which I repudiate the statement that this Bill is a bribe. I do not want to go into the question of gratitude now. I would rather speak of gratitude when the work is done, and when there may be some reason to speak of gratitude. What I say is, if the Government wish to spend so much money, let them spend it in a right direction. I regard this proposal as a considerable step in the right direction—that is to say, they are proposing to spend the money in Ireland. The hon. Member for Sunderland offered a patriotic reason why Irishmen should object to this, and said the proposed Board is to be composed of English engineers, with only one Irishman added, and he not an engineer. In my opinion, it would be just as unreasonable to reject this Bill because there is to be a Board mainly constituted of Englishmen, as it would be for my hon. Friend to quarrel with a good dinner because he did not like the nationality of the cook. If the hon. Member for Sunderland were to propose that an Irish National Member and an Irish Conservative Member be added to the Board, I should give him my vote, because I should consider that a move in the right direction. I think it is too much to appoint three English engineers, and that the Government ought to have been content with two. Still, they propose to constitute a Commission, although a faulty one, and I do not think this objection sufficient to warrant us in rejecting a measure which seems to be an eminently practical one. I am willing to take the opinion of the Northern Members on this question of the drainage of the Bann, as to which I have some knowledge, inasmuch as I sat on the Royal Commission on that question. I have heard several Members speak on the matter, and have talked with others representing North of Ireland constituencies, and I have found that, upon the whole, they are in favour of this scheme. In my opinion, taking these Bills as a whole, they ought to be accepted. The hon. Member for Sunderland said the Drainage Act of 1863 was a very good one, and worked advantageously; but he objected to the Acts of 1842 and 1847, because they were not initiated by the Local Authorities, and the money in the case of the 1847 Acts was not always paid. If the hon. Member looks into the matter he will find that in 1847 the drainage works were essentially famine works, instituted for the purpose of keeping the people alive. The system, however, was not a good one, and more money was spent than the people in the famine districts received; and I believe a large portion of the money was balanced against the Income Tax in Ireland, it being said that a good many Irish Members voted on the understanding that there would be a

reduction of the Income Tax. I am not well acquainted with the circumstances connected with the works in 1844, but in 1842 they were not merely of a local character, but were connected, as I have said, with the famine. I believe that what has happened in Ireland has been without exception this—that when the drainage schemes have been combined with navigation they have failed; while several schemes which have been referred to drainage alone have been fairly successful. The Chief Secretary for Ireland has swept away a very considerable portion of the navigation works, and so far he has done well; but had he swept away the whole of them he would have done better. I think the Bills may well be amended in Committee. I think it would be a terrible pity if, for political reasons, we were to stop industrial progress in Ireland. The hon. Gentleman the Member for Sunderland is a very sincere friend of the Irish people, although he may be a little too close about money matters. Let me ask him what, supposing nothing is done in Ireland, is to become of the Irish people if you stop all these works? If you prevent the development of our fisheries and of our railways, the population, which is now decreasing at the rate of sixty thousand a year, will continue to diminish, and you may be sure that Ireland will not grow stronger with a diminishing population. We may be able to manage these affairs better when we get a Home Rule Parliament; but surely it would be a pity to stop all industrial progress for three or four years, or until such time as we obtain Home Rule. If we reject these Bills, we shall, if we are honest, have to admit that the Government were determined to do a sensible thing, but that we prevented them doing it. The hon. Member for Cavan has said that any Irish Member would be a fool who refused the million sterling which is now offered by the Chancellor of the Exchequer. I quite endorse those words. I think we should be very foolish to refuse it, and while accepting it, I think we can fairly go back to our constituencies with the full conviction that those who voted for Home Rule at the last election are not likely, by reason of this expenditure of money, to be inclined to vote against it on a future occasion.

*MR. MACARTNEY (Antrim, S.): I think the Opposition would have been more justifiable if no previous effort had been made by the inhabitants of the districts affected by these Bills to help themselves. But I may point out that the owners and occupiers along the line of the river have already contributed very largely towards the work which it is now proposed to complete. I would ask the House to consider what is the position of the people around the places which are affected by the Bill. They have been fully taxed for some years for the purpose of carrying out the works the non-success of which the hon. Gentleman the Member for Sunderland attributes entirely to the Irish Board of Works. The hon. Gentleman contended that the Government are now going to tax the English taxpayers for the faults of the Irish Board of Works. It is even a more popular thing, I know, to abuse the Irish Board of Works than to abuse Irish landlords; but I am bound to say that, if the works they have carried out in Ireland have not been entirely a success, it is largely due to the diversity of opinion upon which they have had to act. The Irish Board of Works are not, I repeat, entirely to be blamed. If the blame is to be laid anywhere this House should be blamed. If the Bann Drainage Scheme has been unsuccessful up to the present moment, I may point out that when it was originated, it was not at variance with the Irish public opinion of the time, and if a mistake was made, then the Irish Board of Works made it in accordance with the best engineering advice which was to be got at the moment. There was at one time a general desire to combine drainage and navigation, but that experiment has proved injurious to all interests. Had the Government attempted, in regard to the Bann, to continue this dual system of drainage and navigation, I should have been obliged to offer the Bill my strongest opposition. I myself am closely identified with a large proportion of the district in question, and have examined very closely as to what is the local opinion there. I have been over the whole course of the lower Bann, and while I can say with regard to the whole scheme that it met with the general approval of men of every section of political opinion, I admit that there

really is a difference of opinion as to the question of retaining the locks. On the one hand we have the opinion of the people who live along the banks, and who have no practical engineering knowledge, and that opinion is to the effect that the object of the scheme would be secured if all the locks and the obstructions at present existing were cleared away. On the other hand, we have the opinion of engineers that something must be done beyond clearing away locks. Whether the engineers are right, or whether there is something to be said for local opinion, I have not been able to make up my mind, and the questions are such as the House need not discuss at this moment. They do not effect the decision which the House is asked to come to, and they might well be reserved till the Bills are considered in Committee. One of the hon. Gentlemen opposite has based his objection to the scheme on the profit which he apparently sees accruing in the distance to the Irish landlord. He is mistaken. Whatever the benefit may be it will not increase the value of the landlord's property one farthing. Speaking on behalf of a large number of occupying tenants who have recently suffered very severely from the flooding of the Bann and who have often so suffered, I beg the hon. Gentleman to reconsider the opinion he has rather too hastily formed. I entirely repudiate any suggestion as to bribery with regard to the measure. The fact is that men in these districts have been induced to make a large outlay because Parliament has directly guaranteed certain results. Those results have never been realized. I do not blame anyone for that, but I think the Chief Secretary is now only asking Parliament to deal justly, and in the least generous manner with the men in question.

MR. CLANCY (Dublin Co., N.): The hon. Member who last spoke, referring to the Board of Works, expressed an opinion that that body in dealing with the schemes placed under its control paid attention to local opinion, but I would venture to remark that instead of paying any such attention, this Board of Works has most conscientiously ignored and defied such opinion.

*MR. MACARTNEY: I meant to say that it had done so in some cases.

Mr. Macartney

MR. CLANCY: Perhaps the hon. Member knows some member of the Board of Works. That is exactly what often happens. A member of this loyal minority is acquainted with a member of the Board of Works, and is able to get what he wants out of that body. My experience is that the Board has not shown in the past the slightest respect for Irish opinion. The hon. Member has also said that he could not conceive a worse place than the British House of Commons for the discussion of measures of this description. I congratulate him on having taken the first step towards Home Rule, and if he will only pursue that train of thought, I feel confident that his magnificent intellect will lead him to that conclusion. My hon. Friend the Member for Sunderland referred to me to-night in the course of his speech in somewhat denunciatory terms. He remarked that what I said on the Second Reading was not what a sense of decency would prompt. Well, what I said on that occasion I stand by, and I intend to repeat it to-night. I shall ask him to tell the House what would be said of us if we Nationalist Members opposed these Bills. The right hon. Gentleman the Chancellor of the Exchequer told us he was going to conquer the Nationalist Party in Ireland by these means. Well, I challenge him to do his best in that direction. We accept these Bills, but we are confirmed in our belief that the right hon. Gentleman, with all his bribes and promises, will not win a single Constituency from the Nationalist Party. We have had an election in Ireland even since the introduction of these Bills. That election took place in South-East Cork, and what, I should like to know, has become of the loyal minority in that division? The Chancellor of the Exchequer's promises and bribes certainly did not induce anyone to come forward on behalf of the Government to contest that seat. The hon. Member for Sunderland has suggested that the question of honour arises in connection with this matter, but does he not think that as between us and the British Government, we might, as Lady Teazle said, "leave honour out of the question." We are at war with the present Government; we intend to live upon it. We will take all we can get, but we will not give

them a bit of thanks, and I say that instead of its being dishonourable, it is honourable on our part to warn the Government that if they were to spend 20 millions or 200 millions it would have no effect. The result will be precisely the same as if they had spent nothing at all. And when I look at the causes which have produced these schemes I cannot feel any gratitude. What has produced them? I have not the least hesitation in saying that they have been produced by the disturbance and agitation which have been going on in Ireland. Now, Sir, there is a harbour in the county of Dublin, which would take only £4,000 to put into repair. It is a very valuable harbour for the neighbourhood, and yet the people there cannot get a single penny towards the cost of repairing it, simply because there has been no agitation and no disturbance in the county of Dublin. If there had been such disturbance and agitation, you would have had the catchment area of the Liffey added to the other districts in Ireland to be drained, whether it wanted draining or not, and most certainly if there had been disturbance and agitation in the neighbourhood of Rush, where this harbour is situated, that harbour would have been attended to two years ago. It is for these reasons that I cannot feel any gratitude to the Government for these Bills. But there is also another reason why we should feel no gratitude, and that is that England owes an untold amount of debt to Ireland for the destruction of Irish industries and commerce in the past. The story of the destruction of these industries is only too familiar, and the Chief Secretary has spared me the necessity of repeating it, for he has admitted, in the most generous terms, that there has not been in history a more iniquitous act than the suppression from time to time of the industries in Ireland. The third reason why I can feel no gratitude for these Bills is that they are produced as an alternative policy to Home Rule. They are part of the price which this House has to pay for the Union. If we had Home Rule in Ireland we should have to pay for these works out of Irish money. As long as we are governed by the people of England, or rather, by a portion of the people of England, so far as I am concerned, and I believe I speak the opinion of the overwhelming majority of the Irish people, we will not pay a stiver for anything; we will make you pay. I have no notion, however, of opposing these Bills. If they proposed to spend one hundred millions I would not oppose them. I would take the money from you, and I would not give you any thanks whatever, and under these circumstances I cannot support the Amendment of my hon. Friend.

MR. CONYBEARE (Cornwall, Camborne): I rise with the greatest satisfaction to renew my opposition to this idiotic policy of the Chief Secretary for Ireland, which is worthy of the man who has imbrued his hands in the blood of the Irish people, and who rejoices—

MR. DEPUTY SPEAKER: Order, order! That expression is not Parliamentary, and I must call on the hon. Member to withdraw it.

MR. CONYBEARE: I did not mean to say that, physically speaking, the right hon. Gentleman has done so, but I meant that in view of the numerous murders by the Irish Constabulary, which have every one of them been condoned in this House by the Chief Secretary, I am justified in using the expression metaphorically.

MR. DEPUTY SPEAKER: Order, order! The hon. Gentleman must withdraw it.

MR. CONYBEARE: Of course I withdraw the metaphorical expression. The right hon. Gentleman having made himself directly responsible by condoning the action of the Constabulary on many occasions, now comes forward with a direct bribe, which, he thinks, the Irish people are fools enough to welcome and accept. I hope, if he has entertained that idea, the speech we have just listened to will have dispelled it. Now, I have consistently and repeatedly opposed these proposals, and I shall continue to do so so long as the Chief Secretary permits me to be at liberty, which, I suppose, he will not do long; and I shall explain to the House presently the reasons why I oppose these proposals for robbing the British taxpayers and bribing the Irish people. Last year my opposition was practically single-handed. What it might have been if it had not been for the unconstitutional method by which the closure——

MR. DEPUTY SPEAKER: Order, order! The hon. Member is aware he is now entering on a subject which, under any circumstances, is one of great difficulty; but it is quite out of order inasmuch as he has a notice on the Paper in reference to it. I must ask the hon. Member to direct his attention to the Bill before the House, and not to wander into needless and offensive irrelevancies.

MR. CONYBEARE: I do not propose to wander into any needless irrelevancies. I was pointing out that last year my opposition was single-handed, and I was explaining—(Mr. Deputy Speaker signified his disapproval.) Well, I will not refer further to the circumstances of last year. However, Sir, I am glad you have reminded the House that my Motion is still on the Paper. I hope it will continue there until I have obtained an opportunity to introduce it. I was going to say I am glad that the opposition which I carried on single handed last year in the face of great difficulties is no longer left entirely as a burden upon my shoulders. At any rate, to-night we have had the satisfaction of hearing several vigorous speeches against this wretched policy of the Government from hon. Members on this side, and although our Front Bench are not setting us the example of protecting the British taxpayer's pocket, which I should have expected from them and which we might have hoped from them, I apprehend that Liberal and Radical Members who do not sit on the Front Bench will not waver in support of our principles on that account, but will all the more strenuously oppose these Bills at every stage and in every way the forms of the House will permit us. Perhaps it is owing to the occurrences of last year that Radicals are beginning to wake up to what is wrapped up in these Bills. Perhaps Members epresenting British constituencies, who do not care to squander their taxes for the benefit of the Irish landlords, are beginning to receive intimations from their constituents that they had better be in their places and oppose these measures. Another thing which shows the remarkable difference in the attitude taken up in these Bills this year from the attitude which was taken up last year, is that it is no longer intimated that this is a question for Irish Members to discuss, and that if Irish Members do not discuss or show any disposition to discuss these Bills it is not for British Members to do so. Whatever my hon. and learned Friend the Member for Galway (Colonel Nolan) may say, we have to find this money, and if we have to pay the piper it is only reasonable we should call the tune, or at any rate, do what we can to prevent the tune being called. Last year it was thought a sufficiently complete answer to us that Irish Members had discussed the matter and that no English Members need open their mouths. On this occasion we have shown we do intend to open our mouths, and I hope there will be no lack of English, Welsh, and Scotch Members to protect their constituents from this specious robbery which is being practised upon them by the Chief Secretary. Before going further I desire to say that my Amendment to the First Reading of the Bann Bill was withdrawn without my knowledge or sanction. It has been said I withdrew the Amendment at the dictation of and in order to please my hon. Friend the Member for Cork, the Leader of the Irish Party. I had no communication with the hon. Gentleman, and that my hon. Friend the Member for Cavan seconded the Amendment was due I believe to the fact that there was no Liberal or Radical Members in the House at the time. I did not think, though my hon. Friend seconded the Amendment, that he was in favour of it, because I rather inferred he like other Irish Members was in favour of getting all the money he could from the British taxpayer. Now, I venture to thank the Chief Secretary for the distinguished honour he did me by making an attack upon me in the speech he recently delivered at Portsmouth. The right hon. Gentleman argued that I am always ready to go over to Ireland to advocate the Plan of Campaign, but that whenever his Party proposes any measures of relief for the benefit of the Irish tenants I am always the first to oppose and thwart their beneficent designs. The hon. Member for South Belfast (Mr. Johnston), too, has accused us on this side of not being the true friends of Ireland. I am quite content to take the opinion of the Irish people upon that point. But in reply to the Chief Secretary I wish to say that although I am at all times disposed to support my approval of the Plan of Cam-

paign, I have gone to Ireland, not to break down proposals for arbitration, as the hon. Member for South Hunts (Mr. Smith Barry) has done, but with the honest desire to try and ascertain what are the facts in regard to this and other matters upon which the House will be called upon to form its judgment. Certainly I cannot be accused of having caused infinite harm, distress, and suffering, and even the deaths of many innocent persons, by pursuing a detestable, invidious, and effete policy. Why should the British taxpayer be called upon to pay this large sum of money for Irish drainage? I take my stand in opposing these Bills on sound principles of finance accepted on both sides of the House. Before the Chancellor of the Exchequer became a Protectionist and a Tory he was, I believe, at one in agreement with the right hon. Gentleman the Member for Mid Lothian. I may say the same of the right hon. Gentleman the Member for West Birmingham (Mr. Chamberlain). I believe that those eminent authorities were agreed upon the principle that where undertakings are required for local purposes it is not a sound financial principle that public money should be granted as a free gift to the Local Authorities for such a purpose. In May, 1885, I was one of a deputation from Cornwall who waited upon the right hon. Gentleman the Member for West Birmingham, who was then President of the Board of Trade, respecting the construction of harbours of refuge. The deputation pointed out that Cornwall was a very poor county, that it was almost in as bad a condition as some parts of Ireland, and that we ought to have, at any rate, the easiest terms possible for loans for the purpose of erecting harbours of refuge. I think we went so far as to suggest that we were entitled to free gifts. The right hon. Gentleman scouted the idea, and said it was a most improper principle that any free gifts out of the taxpayer's pocket should be lavished upon local works. Our case was much stronger than that of these drainage schemes, for harbours of refuge would be of benefit to the whole country, and even to the whole world. Who in this country will benefit one cent by the lavishing of any number of thousands or millions sterling upon the River Bann? It is not suggested by the right hon. Gentleman himself that these works are necessary in the interest of Englishmen, Scotchmen, or Welshmen. One of the reasons assigned for the proposed expenditure is that the Board of Works have blundered so much in the past that we ought to make good some of the money squandered and wasted. I maintain that that is no reason at all, and that we have no right to pay this money unless it can be proved it is essential in the interest of the United Kingdom as a whole. That has not been proved, and I unhesitatingly say it never can be proved. Last year a deputation asked the President of the Board of Trade (Sir M. Hicks Beach) for a grant of £250,000 to carry out the most important work of improving the harbour of Holyhead. The right hon. Baronet scouted the idea that money could be granted out of the Exchequer for any such purpose. I want to know upon what grounds, which would satisfy reasonable and intelligent men, you can admit to-day you should do that for particular districts of Ireland which you refuse to do for portions of Great Britain, which do not ask it simply in the interest of particular local and circumscribed areas, but for the benefit of the whole of the United Kingdom? If I were arguing this matter from a Party point of view, I would be glad the Government were introducing these measures, because I know they will cost them the loss of many votes at the next election, but I am not arguing it from a merely obstructive and partizan standpoint. I am arguing it in the interest of those whom I am in duty bound to represent to the best of my power in this House. The hon. Member for South Tyrone (Mr. T. W. Russell) told us that he spent last week in cruising up and down one of the rivers. If he had spent his time in advocating these precious measures in England he would probably have got a little enlightenment, and been able to assist his dear friends on the Treasury Bench. If he had taken the trouble to address English, Scotch, and Welsh meetings, as I have done, he would have realized the fact that there is a strong feeling of antagonism to this proposal to lavish British money upon objects which have nothing whatever to do with the interests of our constituents, and which is solely intended as a bribe to the Irish people, and to improve the position of Irish

landlords. We have crying wants in this country. We have enormous arrears to make up in the way of developing the local resources of different parts of our country. In my own constituency there are thousands of acres of land which only need the expenditure of capital upon them to bring great resources to the State. From that point of view I might properly argue that such a work would be of material importance as increasing and extending the resources of our own country. When I was a candidate for the representation of Wick, I realized the great difficulty the people of that district had in raising loans from the Government for the purpose of carrying on the necessary harbour works there. Throughout the length and breadth of Great Britain you find that if it is a question of free gifts of public money, there are any number of claims which ought to be satisfied before thousands and millions of pounds are thrown into the laps of Irish landlords. But we do not ask for them, at least we do not at present. I do not pledge myself that we shall not ask for them, if in order to get yourselves out of a scrape you will lavish our money upon projects with which we have nothing whatever to do. But there is another ground on which we shall be justified in asking for free gifts. The present Government always boast that their policy is based upon a just and equitable application of similar loans to both countries. If you are so proud of that policy, act upon it in respect to public works in England as well as in Ireland. Either grant us the sums of public money as free grants which we require in this country when you are doing the same for Ireland, or else refuse to Ireland, as you refuse us, any grants out of the public Exchequer. That is an intelligible policy, but the policy of the Government is neither intelligible, just, or safe. There is another reason why we should bestir ourselves to get these Bills rejected or else to limit the output of English sovereigns as much as possible. The hon. Member for South Tyrone told us just now that we have to consider whether all the previous expenditure has to be thrown away, or whether the present works shall be maintained for making a free grant in the way suggested. The same argument will be put forward next year, the year afterwards, and 10 years hence. In the Memorandum the Chief Secretary has affixed to the Bill, we read that the works executed between 1846 and 1861 cost £261,000, of which £109,000 was the amount of a free gift from Parliament. Now, we are asked for another £20,000, and are told that the estimated cost of new works will cost £65,000. I should be inclined to say to this, "stuff and nonsense!" The right hon. Gentleman must know these estimates are bogus affairs, and if he has not had experience of the estimates of engineers and architects we have, and we know from experience in similar cases that this estimate of £65,000 is likely to be trebled or quadrupled. It is pursuing an insane policy of throwing good money after bad, and so long as I can make my voice heard against the project I will do so. Why should we sully our hands with this attempt to bribe the Irish people? I can assure the right hon. Gentleman that it will not have the effect he expects in tranquillizing and pacifying Ireland. The Irish people are not so foolish as to sell their birthright for a mess of pottage on the very eve of entering upon their inheritance. At the moment when the eloquence of the greatest orator and statesman of the age is enlisted at the head of a great Party to bring to a determination the struggle of centuries the Irish people are not to be blinded with English gold. The Irish people will be satisfied with nothing short of that National Parliament which they claim, and which they will have before the right hon. Gentleman is many years older. And, moreover, the moment when Home Rule is granted, and the curse of landlordism has been got rid of, there will be an influx of capital from all parts of the world into Ireland, so that there will be no difficulty in raising the necessary money for public works. There are many successful Irishmen in the Colonies who, when Home Rule is established, will be glad to return to Ireland and devote their time and money to the development of the resources of their native country. When I was travelling in South Africa, I made the acquaintance of many sad men, and I could mention forty families in Port Elizabeth alone, who are ready to return and settle with their capital in Ireland under Home Rule.

That being so, the statesmanlike and economical way of dealing with a subject such as this is to leave it to be dealt with by the Irish people, and with Irish capital, not to rob the British taxpayer, and bribe the Irish people against Home Rule. I am not surprised that the hon. and gallant Member for Galway (Colonel Nolan) should have spoken strongly in favour of the Bill, though I do not admit the soundness of his arguments. I am sorry that the hon. Member for Sunderland (Mr. Storey) should have charged Irish Members with accepting a bribe. They are justified, considering the way in which their country has been treated in the past, their people ill-used and robbed, in accepting everything this House is foolish enough to vote for them. I certainly should do so if I were an Irish Member, and I hope that Irish Members will, out of kindly consideration for us, abstain from voting with Ministers, or if they prudently wait and avoid evil communication, refrain from voting at all. Let not the hon. Member for South Belfast indulge in any hope of the co-operation of all parties. What the action of the Front Bench may be, I do not know, but I give hon. and right hon. Gentlemen opposite full warning that we who represent the Radical sentiment in the country intend to divide on all these Bills, and to offer the greatest possible opposition to them *seriatim*. I am sure that there are many Members opposite who in their hearts would wish to do the same, and they will have to settle accounts with their constituents for not doing so. I cannot blame Irish Members if, considering the way in which their countrymen have been brutally ill-used and robbed in the past, they accept every penny they can get out of the British Exchequer. The action of the Irish Members, whatever it may be on this matter, will not offend us. I do not care whether they vote with us or against us, or abstain from voting; but if they take my advice they will walk out of the House and not vote at all. To go into the Lobby with the Government may not be very good for their morals, and I cannot ask them to vote against what they think is for the interest of their constituents. But the arguments of my hon. and gallant Friend do not convince me. He tried to argue that this is only a portion of the money that belongs to Ireland, and quoted figures in support of that view. But I join issue with him. The money will be spent, in addition to all the expenditure absorbed, and which will still go on in the maintenance of 30,000 troops and 15,000 constabulary for throttling Irish liberties. This will be a million sterling in addition to all that has been nefariously filched from us for destroying, exterminating, murdering our Irish fellow subjects. I do not like bloodshed at any time, but my objection is increased when it is conducted at our expense. I have dwelt on the powerful points of objection to this Bill, but there is one that might be more clearly brought out. With regard to the Bann Drainage Bill, the Bann is not a river that runs through a particularly poverty-stricken district on behalf of which an appeal *ad misericordiam* might be made. It runs through Ulster, which we are constantly told is the wealthiest and the only prosperous part of Ireland. If the Bill affected Dunfanaghy or such wretched districts as those in Donegal, where Mr. Olphert is doing his best to restore the desert solitude that reigned when his predecessors gave £300 for the property some two centuries ago, there might be something to be said for it. If hon. Members opposite will assure me that the poverty of the district through which the Bann runs requires this assistance, I will offer no opposition; but I know they cannot maintain such an absurd proposition. We know this part of Protestant Ulster is held up to us as a sort of Irish Eden, and an example of what all Ireland might be but for wicked Land Leaguers and professional political agitators. If there is money to be granted from the British Exchequer for any such purpose, let us have a proposal to devote the assistance to the wretched and miserable districts that need it, not to wealthy and prosperous Ulster. This policy of taking money from the English Exchequer for Ireland is another direct violation of the pledges which nearly every one of the hon. Members opposite gave at the last election. But we are so accustomed to these violations of pledges that they are scarcely worth mentioning. It has been shadowed forth that you are going to pursue the evil practice instituted by Lord Ashbourne's Land Purchase Act. We pointed out the violation of pledges in that case, and if there was one thing

more than another that brought our opponents in power it was opposition to the advance of large sums of money for the purchase of Irish land. Go back to the electors now, and proclaim as qualifications for their confidence that in November you voted £5,000,000 for the Irish landlords, without security, under the extension of Lord Ashbourne's Act; and, if this Bill passes, that you have given another £20,000 to the people of Ulster, who do not want it, but as a bribe against Home Rule and a sop to the landlords. You are ever ready to boast of your popular mandate to maintain the Union; can you claim any mandate for taking the money of the English taxpayers to benefit the Irish landlords, or, indeed, Irish tenants either? You deliberately go back from your election pledges, and, from a Party point of view, we should rejoice, knowing what the judgment of the constituencies will be when the day of reckoning comes.

*Mr. R. T. O'NEILL (Antrim, Mid): It is not my intention to make any lengthy remarks because, up to the present, Representatives for Ireland appear to be in favour of the Bill, and I think I may say, without contradiction, that all Irish Members on this side of the House are prepared to support it.

Notice taken, that 40 Members were not present; Mr. Deputy Speaker counted, and 40 Members being present,

*Mr. O'NEILL: I will not go into the motives that have actuated the Government in bringing forward the Bill, though several hon. Members who have preceded me have attributed the Bill to motives of an unworthy character. I speak only of the Bann scheme, of which only I know anything among this group of Bills. It has over and over again been stated that this money is to be advanced as a bribe to Ireland. Well, I suppose a bribe implies that some service is to be rendered in return, but there can be no such effect in the district through which the Bann flows. That part of the country is inhabited by people who are distinctly prosperous and loyal, and those who dwell near the catchment basin of Lough Neagh require no bribe to support Her Majesty's present Government, and a bribe of fifty times that amount would not tempt them to support Home Rule. Then another reason alleged for the Bill is that it will assist the landlords who, as one hon. Member said, were actuated with a desire to exterminate their unfortunate tenants; and another hon. Member found in the scheme a means of enhancing the value of the land preparatory to the introduction of a great purchase scheme. But this is a perfectly untenable position; for whatever benefit the country may get from the Bill, certainly the landlords will not derive a penny from it. If this grant is made and the money given, the benefit will be reaped by the occupying tenants, not by the landlords. Yet another reason alleged for the Bill is that it is brought forward in response to local agitation. Now, I can speak for the inhabitants of the Lough Neagh district, and say there has been no agitation whatever amongst them. Any gentle pressure that might have been exercised would have been in favour of carrying out to perfection the works originally constructed and so badly carried out by the Board of Works that they do not effect the objects with which they were undertaken. I support the Bill most heartily, but for none of the reasons mentioned by hon. Members. In the first place, I honestly believe that it will be of very great use to the country that now suffers, and occasionally suffers very severely, from excessive floods in wet seasons. There was an immense amount of money spent some 30 years ago—I think £264,000 in all—to prevent these losses from floods; but, unfortunately, the system adopted combined navigation with drainage, and the result has not been successful. I have for a great number of years been a member of the Lough Neagh Drainage Trustees, and, therefore, I am in a position to say that the fact of the works being placed under two Boards has acted very injuriously for the public. That part of the works connected with drainage has been under the control of the Lough Neagh Trustees, and they have the power of levying a rate upon landlords for the maintenance of the works over a very large district—I think an area of 1,800 square miles. Now, the only outlet from Lough Neagh is through the Lower Bann, and only this way can the water flow down. But, unfortunately, the control of the Lower Bann has been put into the hands of the

Navigation Board, and this Board contended that they have no interest whatever in the drainage, and are concerned only with the navigation. So when they discovered there was really no navigation on the Lower Bann, the Navigation Trustees were naturally loth to spend money on that object, and by degrees the channel of the Lower Bann was allowed to silt up to such an extent that it seriously interfered with the drainage of the catchment basin of Lough Neagh. Twice I have joined in deputations to Lords Lieutenants on this subject—once when Lord Marlborough held office, and again during Lord Spencer's second Viceroyalty—to see what steps could be taken to oblige the Navigation Trustees to fulfil what we considered their duty. They at first rejected all responsibility connected with drainage. They said, "We will keep the river open for navigation." I cannot say they did, for there was no navigation. Certainly, I remember a very small steamer, called *The Kitty of Coleraine*, used to ply between Toome and Coleraine; but nobody ever went by her, because 9 times out of 10 she stuck on the mud of Lough Neagh and did not complete her voyage. The navigation, in fact, is an absolute failure, and I heartily support a Bill to sweep away the useless Navigation Board and its charge on the county cess of Antrim and Derry. I support the Bill also for the reason I have hinted at, that instead of having control divided between two Boards whose interests were often in conflict, the control will, by the Bill, be vested in a Board elected by those whose interest it will be to see the work properly and carefully carried out. There is a strong reason that influences me in supporting the Bill, that the works constructed by the expenditure of the large amount of £264,000 are now of little or no use; but the opinion of competent engineers is that with this further expenditure of £65,000 these works can be made most useful and productive. To gain this end the money will be thoroughly well spent. I will not occupy the time of the House any further because, as I have said, Irish opinion is practically unanimous. The only opposition comes from a section of English Members, who plead the interest of the British taxpayers. But as the hon. and gallant Member for Galway (Colonel Nolan) has well remarked, it is right the money should come back to Ireland occasionally, when so much Irish money is expended on English objects.

MR. ILLINGWORTH (Bradford, W.): When we have before us such a group of Bills as this, I think it is essential that we should at the outset try to ascertain, if we can, what the policy of the Government is in regard to this great financial question. We know that the Goverment rode into office upon declarations made almost universally by hon. Gentlemen opposite, and by a considerable number of hon. Gentlemen on this side, that it is an unsound and a profligate course to devote money from the Imperial Exchequer or Irish to other local purposes. *Hansard* and the local newspapers of this country are scattered with declarations, with assertions, with strong utterances on the part of hon. Gentlemen that they would have nothing to do with such an expenditure. Well, the Government, we understood, were about to treat the affairs of Ireland in precisely the same spirit and manner as the affairs of Great Britain were treated. There was to be no coercion; but equal treatment was to be accorded in every respect to all parts of the United Kingdom, and I think we ought not to be surprised that the Government, having turned their backs on their own declaration as to no coercion, should have found themselves under the necessity of making some attempt to conciliate Ireland. Therefore it was that last Session we had sprung upon us the measure they brought in at the last moment, and it is my belief that the Supplementary Session was created for the purpose of bringing forward what is known as the Ashbourne Act. We are now asked to make a grant of £380,000, accompanied by loans on very easy terms, all of which will probably prove to be money thrown away out of the National Exchequer. We are told that all this is being done in the interests of the tenants. Supposing this were true—and I do not admit that it is—I would point out that the money is only to be given to certain parts of Ireland. If equal justice is to be done to all parts of Ireland, enormously larger sums must be given. Why should money be given merely for the sake of assisting particular localities?

As to the River Bann, no one has ventured on the other side of the House to say that the case stands on its own merits, as shown by the poverty and distress of the people. What are the facts? We have heard that £360,000 has been usefully spent on a scheme which was of no benefit to those it was originally intended to advantage, and that now a further sum of £65,000 is needed to make the scheme complete. And here I would ask why is the scheme not undertaken by those who will derive the benefit? Surely the small supplementary sum which is now to be handed over might have been provided from Irish resources, and there might have been some evidence of public spirit on the part of those persons in Ireland who are always loyal and always boasting of their loyalty. We have been told that Ulster needs no bribe, and that loyal Ulster will never accept a bribe; but, in my opinion, the loyalty of Ulster can never be depended upon unless it is bribed by the continual making over of grants of public money. Now, I think the House of Commons is called on by a sense of public duty to inquire where this policy is likely to lead us. Her Majesty's Government have attempted no general justification of their scheme. My conviction is that the Government feel they dare not rely on coercion exclusively, and find themselves at length obliged to resort to the schemes for the purpose of conciliating Ireland. It has been said that Irish feeling is almost unanimous in favour of this Bill; but so far from regarding that as a sound and safe argument in favour of these proposals, I regard it with great doubt and suspicion. What do hon. Gentlemen on the other side of the House say? Why, they say—"Instead of doing the work ourselves, instead of copying the example of England and Scotland, we must fall back on the public money if these schemes are to be carried out." But on this side of the House the Members of the National Party put it in the most impartial way, and say—"We will take all the money the House is disposed to grant us; but so far from being conciliated thereby, we simply accept it on the ground that it will introduce public money into Ireland, and somebody must get the benefit of it." I must say that, in my opinion, we could not teach a more immoral and dangerous lesson to the Irish people; and if there are no further reasons in its favour, I would offer my most strenuous opposition not only to this Bill, but also to the Bills by which it is to be followed. But I have another reason by which I justify myself in opposing these Bills. We are told that next Session a Local Government Bill for Ireland is to be introduced. Well, Sir, there is a Local Government Bill on the Table of the House at this moment, and in the case of Scotland, to which that Bill relates, the Government dared not have made any such proposals as are contained in these Irish Bills. Had they attempted it every Scotchman in this House would have said—"Leave these questions, which exclusively affect Scotland, as matters to be dealt with by Scotland, when she has the power of managing her own affairs." For my part, I only see in these proposals another argument on the part of the Government against conferring on Ireland the management of her own affairs. We have an almost uniform experience to warn us as to the action we ought to take on these matters. The Government have been obliged to admit that they can no longer rely on that broken reed the Irish Board of Works. And, forsooth, they are introducing a new authority into Ireland to manufacture these schemes and to carry them out. But it has been urged by the hon. Member for South Tyrone that there is some popular control permitted in regard to these four schemes. What really is the character of that control? The Government says—"You must either have this scheme or nothing." This new Board really sets up the schemes, and gives Hobson's choice to the people of Ireland, and says—"Take this or nothing." In my judgment, we are putting the cart before the horse in this proposed legislation. However good the schemes may be—though I should say there is not a particle of value in them—I would suggest that they be postponed until the Irish people have been consulted in the first instance, and until power is given, through a Local Government Act in Ireland, to initiate and carry out schemes of this character. I want to know how far this process of demoralizing the Irish people is to go? If Ireland is to be treated as are other parts of the Empire, why should she not be responsible for the carrying out of these mea-

Mr. Illingworth

sures? Things cannot be worse than they have been. You have spent money largely in Ireland, and your schemes have almost universally failed. Things have come to that pass that I think it time to try a radical change. Our universal practice in England is to insist on local initiation and local control over all these schemes. We know well that it is impossible for any Board to succeed unless they gather round them local influence and feeling. It is urged that suffering is caused on the banks of these rivers by floods. But in England and Scotland I could point to a thousand instances where the people would be infinitely more benefited by an outlay of this character than in Ireland, and for not more than the amount suggested under these Bills. How many people in this country are driven from their occupation by mines being flooded? In the Forest of Dean, for instance, which is national property, judicious pumping near the underground water would lay bare immense quantities of coal, and it would be possible to give employment for generations, besides largely increasing the national wealth. But who dare to propose to the Government to spend money for such an object? Why should we be deterred from mentioning these things in the House where Great Britain is concerned, and pass over without criticism or opposition these unsound schemes regarding Ireland? I can only say that, in my judgment, the Government will get nothing for the trouble it has taken in this matter. There are a few Gentlemen in this House who have a particular purpose to serve, and who desire to retain popularity with their constituents, who will support these measures. But there are independent Members, not representing Irish constituencies nor the landlords, who feel that they must act as guardians of the general purse of the country, and they enter their protest against this policy. I cannot conceive where these proposals are to end. Is one single scheme of light railways going to satisfy their demands? Are a few hundreds of thousands of pounds going to satisfy Irish demands? All I can say is that the probable result will be that you will have increased demands, and that you will find the Government demoralized and compromised, and that the public purse will be again applied to, and the Chancellor of the Exchequer will be involved. Before the right hon. Gentleman changed sides there was no stouter champion against the whole of these doubtful financial schemes. At present I do not suppose there is a Gentleman to be found on the other side, notwithstanding the pledges to constituents, who will have the courage and consistency to vote against this Bill. My hon. and gallant Friend (Colonel Nolan), whenever there is a proposal to spend public money in Ireland, is always in favour of it. [Colonel NOLAN: We do not get our share.] My hon. and gallant Friend always insists that Ireland does not get her share. In some respects that may be true; but I cannot think that the Irish Members are taking a wise course, or one calculated to strengthen the good feeling of this country towards Ireland, when they say—"We accept English money." [Colonel NOLAN: It is Irish money.] The hon. and gallant Gentleman calls it Irish money. I think that is rather an Irish way of putting it. An hon. Member, who is no longer in this House, used to point out that spirits were made in Ireland and consumed in England and Scotland. [Colonel NOLAN: Tea is made in England.] Unfortunately the proportion of tea sent to Ireland is very small. The amount of spirits sent out of Ireland is consumed in Great Britain. It is true that only a minority on the present occasion are in opposition, but they have the merit of consistency. We are opposing that which we believe to be injurious to Ireland. We are going into the Lobby against Gentlemen who, if they adhered to their declarations, would be obliged to follow us; and our only consolation is that the day is not very far distant when they must stand before their constituents weighted by broken pledges and plied with questions as to the inconsistent course they had pursued. The opponents of this Bill have strongly maintained from the first to the last that the Second Reading should not be allowed until the Government have given some undertaking that they are not going to open the floodgates of extensive bribery to the Irish people, but that they are going to put

some limit to the expenditure. We want to know that limit, and where they are going to stop. If they give indication that they will go no further, then we will ask why they have begun a policy of this kind, conferring special benefits on limited parts of Ireland, without being prepared to go very much further, and treating the country with equality.

MR. J. W. PHILLIPS (Lanark, Mid): I rise to speak upon this Bill from the point of view of one of the Members for Great Britain. I rise to defend the interests of my own constituents, and to ask why we should assist the landowners and tenants of Ulster? I should very much like to advocate the plan of building workmen's dwellings all over Great Britain; or Parliament may be asked to spend small sums on co-operation as an experiment. But the present proposal is not an experiment. Money has been spent time after time in draining the bed of this river. No good has been done, except for the first ten years. These ten years seem to show outsiders that precious little good could be done afterwards. Experiments having failed, we are asked to pay for another—a plan of drainage that is to be complete in itself. In former times, when we have had to pay money to benefit the landlords or tenants, it has been by way of loan and interest upon it. Here we are asked for £65,000, £20,000 of which is to be a simple gift. We have been asked to do this for Ulster, which is described as rich and indisputably the most prosperous part of Ireland. Why, there are representatives of Ulster who could subscribe the £20,000 amongst them. Who are going to benefit by the Bill? If the tenants are to benefit, why should they not pay? Is this to be a mere alteration of the scenery of the Bann, or is it to do permanent good to the agriculture of the district? Will each 20s. to be spent be represented by an improvement to the extent of 20s.? We have not had yet the statement from a single Member of the Government whether or not this expenditure will be remunerative. We shall be told that we are opposing the interests of the poor tenants. I do not know the condition of the tenants of the district, but I know this—that we are constantly being told that the tenants of the mountainous districts are very poor, and that they have often had to carry soil to improve their holdings on the desolate hillsides. It is not the tenants who have holdings on the bare mountain sides who are to have their farms improved. I think it is the rich tenants and the landowners who are going to be benefited, and I should like to hear some Member of the Government show us how the poor tenants will be benefited. And, again, are we to obtain 20s. worth of value for every 20s. that will be expended under these Bills? If we are not, I would suggest that it is a very poor policy, indeed, to spend money on drainage when we cannot get a remunerative return. If it is only wanted to give employment for labour, why not build a breakwater, and reclaim land from the sea? There are many places around the coast where this could be done; but it is not done because people know they cannot get 20s. worth of land for every 20s. they have to spend. If, however, the expenditure under these Bills is to be remunerative, where is the hardship in asking either the tenants or the landlords to pay? Why should anybody else pay for them? I have a great suspicion that the landlord is the person who is going to get the benefit of this Bill; and during my experience in this House, I have frequently noticed that landlords seldom come forward to advocate anything in the interests of the tenants unless they themselves are also likely to reap some benefit. The landlords in this case will gain, because the improved value of the holdings will give them increased security for their rent, which is a first charge upon the holdings. But they will also gain indirectly in another way. One of my hon. Friends who preceded me has spoken of this as being a bribe by the Government to the people of Ireland. I do not think it

can possibly be imagined that the expenditure of a few hundred thousand pounds will have any appreciable effect on the Irish Vote, or gain many votes for the present Government. But I believe this scheme is rather offered as a salve to the consciences of the people of this country. The English people have had to put up with evictions, although they did not like them, and the Government, having terrorized the people of Ireland and enabled the landlords to grind exorbitant rents out of them, now come forward and suggest that they are willing to do as much good now as they have done harm in the past. I protest against the people being called upon to pay, first, for the stick, and then for the jam. We pay for the Judges, the Magistrates, and the policemen by whom Ireland is governed, and by whom the Irish landowners are enabled to wring the rents out of the tenants, and now the British taxpayer is to give the jam which is to console the Irish tenant. A great Liberal wit, speaking in past times of a Conservative Minister, said he was trying to play the Good Samaritan without possessing either the oil or the twopence. Well, the Irish landowners are somewhat in the same position. They have first knocked down the tenant, evicted him, and robbed him, and now they come here and try to force us to supply them with the oil and the twopence with which to heal the victim's wounds. I call that playing the Good Samaritan on the cheap. We are always being asked to do something or other for the benefit of the Irish landowners, and I think it is now time that more attention was paid to the case of the tenants. The hon. and gallant Member for North Armagh, when he was speaking a night or two ago on the proposal to use arbitration as a substitute for the law, said he "would sooner break stones on the road." What an awful threat! I do not see why anybody need be afraid to have recourse to such a dreadful alternative as doing a day's honest work. There are people who break stones on the roadside who are very honest, deserving people, and who do not ask us to pay their debts. They are not ashamed of breaking stones, and I should take a delight in seeing some of the Irish landowners engaged in a similar occupation. At any rate, I say this—that breaking stones on the road is a more honourable thing than is their action in coming down to this House to a great Conservative Government, backed up by a great Unionist majority, and trying to throw their liabilities and debts on the nation instead of paying them themselves. I may be told that this country is rich, and can afford to adopt a policy of generosity to Ireland; but I may remind the House that when the Chancellor of the Exchequer has to ask for money the burden, as a general rule, falls upon the poor people who already bear too heavy a share of the taxation of the country, and it is because the poor have already to pay too many taxes that I, for one, intend to do my utmost to resist this Bill at every stage.

*MR. A. J. BALFOUR: The Bills we are considering, or rather the Bann Drainage Bill, which is the prototype of all the others, has been made the occasion of a discussion which would, to the uninstructed, appear to be extremely alien to the matter in hand. One hon. Member has indulged in a general attack on the present Government and their policy, and upon the whole Unionist Party, has introduced an apology for Home Rule, and rehearsed all the commonplaces of Separatist rhetoric on the current topics of the day. It has been said that those Bills are Bills to help landlords. I wish the hon. Gentleman who made that criticism upon the Bill had deigned to explain to the House in what particulars these Bills have any relation to landlords' interests at all. The Bills, as a matter of fact, have been carefully and elaborately framed so that the landlord interest shall be entirely apart from them. The landlords will not have control over the management of the drainage works, and will derive no advantage from those works. If the hon. Member took the trouble to read the Bill in even the most cursory manner,

he would see that if the Government have taken trouble about anything they have specially taken trouble to prevent those Bills being open to the charge which is levelled against them. Those Bills are nothing if they are not tenants' Bills. No Irish Member who has examined the provisions of the Bills and knows their contents has been found to get up in his place and say the Bills are for the benefit of the landlord and not of the tenant. The hon. Member for Sunderland has accused the Government of having reverted to the old bad methods of 1842, and of having rejected the better system brought in in 1863 by which the parties in the locality were given the management of any drainage schemes by the Government. The hon. Member quoted against me the Report of the Royal Commission; but I think I can show him it is not so opposed to the plan of the Government as the hon. Member seems to think. His contention was that by the Bill of 1863 no Government Department was allowed to meddle with these affairs, and that everything was left to the locality to do—[Mr. STOREY: Except supervision]—and everything went well. It is true that in some respects the Government has departed from the recommendations of the Royal Commission; but on this particular matter there is not the material difference he would lead the House to suppose. The Report of the Royal Commission proposed that it should left to an officer of the Government to determine what the scheme was to be. No doubt it was left to the locality to carry it out; but in carrying it out the locality were not allowed to depart from the original plan. Therefore, the amount of local control was not materially greater than it will be under this Bill. As a matter of fact, for the first time in the history of drainage schemes our Bill brings in the tenantry of Ireland as the people who are to have the chief control. I quite admit that under the Act of 1863 there was a certain amount of local control; but it was not tenants', it was landlords' control. While the Government have sustained the recommendations of the Royal Commission in deciding that some Government officer shall determine the scheme, and that the carrying out of it shall be supervised by Government Inspectors, they have left the maintenance of the scheme when completed absolutely and entirely to the tenants of the locality—to the same constituency who determine whether it should be adopted or not. As to the Board of Works, upon which severe strictures have been passed, it is noe under my control, but it is under the Treasury, and I have no special interest in defending it. I admit that in the public works it has carried out during the last two generations it may have made mistakes, sometimes grave and sometimes trifling; but all engineering schemes, by whomsoever carried out, are liable to miscarriage, and it is not fair to apply a severer test to a Government Department than would be applied to private engineers carrying out similar undertakings. If any one will cast his eye over such operations carried out by private enterprize he will, I think, find quite as many blunders as have been committed by the Board of Works. When it is said that we are unduly using the Board of Works, I would remind the House that the Board have nothing to do with the Bill before the House, and the only Bill that is left to it is the Shannon Bill. In leaving to it the the drainage of the Shannon the Government are following the spirit of the recommendation of the Royal Commission that the continuation of the work should be left to a Government department. Nor can it be said, because local Members of Parliament are not to be upon the new Commission, that local opinion has been ignored, for the Royal Commission took a good deal of local evidence, and the Bills which have been under discussion for a year has been the subject of much local criticism. And what has been the upshot of it? A certain number of attacks no doubt have been made by those who think that private rights are interfered with; and their case will be heard by the hybrid Committee to which the Bill will be referred. But from neither the Members of Parliament for the district nor Irish Members generally has there come any criticism of a serious character, such as would warrant the belief that the Bills in any way run counter to local feeling. Now several hon. Members have contended

that we are not justified in voting funds derived from the Imperial Exchequer for public works which are not to be carried out in poor districts. I have never pretended that the district of the Bann or that of the Barrow ought to rank among the poorest or most congested districts of Ireland, and never upon that ground have I recommended the Bills to the House. The Railway Bill, I admit, is framed to meet the conditions of extreme poverty which exist in some parts of Ireland: but these Bills have never been recommended on account of the destitution of the districts through which the rivers run. They are framed principally upon the recommendations of the Royal Commission, which investigated the condition of the river areas where these difficulties of drainage prevail. It is because they recommended that these great river basins should be dealt with in preference to others that the Government has undertaken the task of dealing with them. And as to the suggestion that this Government policy must be extended to other parts of the United Kingdom, I will say boldly that this House must undoubtedly exercise great caution in adopting a policy of public works for any part of the United Kingdom. The general condition of Ireland was considered to justify an extention to that country of a principle which would not be justifiable in and is not demanded by England or by the greater part of Scotland. And when an hon. Member says that this is adopting a policy of Home Rule for Ireland, I reply that it is nothing of the kind: it is adopting the recognised principle that as the condition and history of Ireland differed in essential and important particulars from the conditions which prevail in England and Scotland, Ireland may be more generously treated. Now I do not know that there is any other matter I may deal with except the statements by hon. Members as to the motives which have actuated the Government in this matter. The hon. Member who spoke last desired to prove that the Government in adopting this policy were animated by the cynical desire to buy Irish support which they could not obtain by more legitimate methods; and in order to sustain that contention he had apparently ransacked the previous speeches of Members of the Conservative Party. The only quotation he gave, however, was one from a speech delivered by my noble Friend the Member for Paddington (Lord R. Churchill), in which he said that we ought not to give Local Government or the franchise to Ireland, but that we might lavish public works on her as much as we liked. The hon. Gentleman must be aware that the noble Lord has altered his views on that matter considerably since that speech was made, and that no man has been more anxious to extend a large measure of local self-government to Ireland. The noble Lord was, indeed, the author of the famous phrase "simultaniety," and it is therefore hard for the Government to have thrown at them a speech made by one of their friends behind them, which speech my noble Friend has himself qualified in subsequent utterances as a responsible Minister. The hon. Member for Sunderland talked as if the Government were adopting a new policy for Ireland. The expenditure of Imperial funds to carry out local works in Ireland is not new. It is a policy which in a more or less fragmentary fashion has been carried out by previous Governments belonging to both parties. We are always being told that our Irish policy should be framed to meet the wishes of the Irish people. Here is a policy which undoubtedly meets the wishes of the Irish people. How comes it then that the Radical Party are endeavouring to defeat it? The opinion of the majority of the Irish Members it is said should be considered in a matter of this kind.

MR. CONYBEARE: Not when we have to pay for it.

*MR. BALFOUR: Not when we have to pay for it says the hon. Member. Now we know the value of the hon. Gentleman's theories. He believes that the opinion of the Irish Members should govern the conduct of Parliament with regard to Ireland in every case except where the hon. Member for Camborne has to pay for it. I congratulate the hon. Member for Camborne on having so successfully dotted the "i's" of his policy. His nationalism is an economic nationalism. He is for preserving the rights of op-

pressed nationalities so long as he can do it cheaply. But ask him to spend money, and with all the virtuous indignation at his command he denounces the iniquity of a Government corrupt enough to do something really substantial for the benefit of those oppressed nationalities whose interest he professes to have at heart. The Government have been accused of attempting to buy the gratitude of Irish Members. The Government desires to buy no commodity so perishable. It is not with that end in view that the Government have introduced these Bills. We shall be amply content if we are able by the series of Bills we have laid before the House to do something material and substantial towards increasing the economic prosperity of a country whose good we have apparently far more sincerely at heart than has that section of the Radical Party represented by the hon. Member for Camborne.

*Sir G. TREVELYAN (Glasgow, Bridgeton): The right hon. Gentleman passed over somewhat lightly two or three of the last speeches made on this side of the House, and went very rapidly to a speech which he treated with the respect which certainly was due to it—the speech of my hon. Friend the Member for Sunderland. But the right hon. Gentleman would, I think, have done well if he had detached from the very effective political part of the speech of the hon. Member for Mid-Lanark (Mr. Phillips) one particular question which the hon. Member put to him. I think it is a question which we ought to have answered. The hon. Member said we were spending an immense number of pounds in the shape of grants and, perhaps, in the shape of loans, and he asked whether everyone of those pounds would increase the value of the land on these rivers by at least twenty shillings. I am afraid that the question is answered otherwise than by the Treasury Bench. The serious thing in dealing financially with Ireland is that men deal too much in generalities. They say, "We must do this or that for Ireland by means of British money," and they do not look to see whether that British money is well spent. With regard, for instance, to the question of land purchase, I think that certain land purchase schemes under certain conditions are very good for Ireland, but I do not think we examine the conditions well enough. I am one of those who think it would be well for us to help the poverty of Ireland; but I think we ought to be sure we are really helping it. In this case I think I can answer my hon. Friend the Member for Mid-Lanark. The right hon. Gentleman the Chief Secretary said this was not a new policy. It is because it is not a new policy, because it is not the policy of this Government, but of many previous Governments, that we are afraid of it. We were afraid of it because the sinking of the taxpayers' money in Irish drainage has made Irish drainage a perfect by-word. The sum of £860,000 has been spent in the Shannon drainage alone, and of this amount £573,000 has been a gift from the British taxpayer. Thirteen thousand acres have been preserved from floods and 21,000 acres partially benefited. Putting the value of each acre preserved at 10s. per year, and of each acre partially benefited at 5s. a year, the calculation comes to £6,900 a year. That is to say, the people benefited have got less than 1 per cent for the money spent, while the English taxpayer have got nothing at all. That is my answer to the hon. Member for Mid-Lanark. There are some of us who are willing to spend money in benefitting Ireland if the money is properly spent in relieving poverty. But, though the surplus of this country may be great, the taxpayers are poor, and I know no country which, with its complicated industries, would find more means of spending public money satisfactorily and profitably than this country of England, Scotland, and Wales. In this case it is not even pretended that the Government are aiding poverty. They are going to aid a district in rich Ulster, and in the richest part of Ulster. We are asked to give £330,000 in all, and to lend £450,000, and the experience of Irish drainage schemes

is that giving and lending such sums means giving what we propose to lend, and doubling what we propose to give. If the Chancellor of the Exchequer gets off with that sum he will have to congratulate himself. Personally I believe we do well to aid the poor districts with light railways. A tentative step was made in that direction. It was partially successful and it failed partially. It failed partially because it has not been carried far enough. The right hon. Gentleman proposes to supplement the previous Bill, which, whether financially sound or not, has been a benefit to the country. But the teaching is as clear in the case of Irish drainage as it is in the case of Irish railways, and experience tells us to go no further. The right hon. Gentleman referred to the remarks made about the motives of the Government. This has been called a bribe. I will not say it is, but it is a continuation of a system of grants which have thrown a heavy burden on the taxpayers of this country and have done very little good to the people of Ireland, which are not so much a bribe as one of the necessary condition of a state of things in which Ireland has not self-government. One of the lessons I learnt in Ireland was that all classes—the richest and the poorest—do not regard the relation of the state to economical, financial, and agricultural question as we do in this country. There is a great deal of Socialism in Ireland among all classes. If the Irish had the management of their own affairs they might do their Socialism at home; they might lend or give their money for Irish public works. But it is because the House is asked to apply to Ireland a system radically unsound, a system which, if applied to English constituencies, their very members would refuse, that I, as one charged with the guardianship of the public purse, oppose these Bills.

MR. BIGGAR (Cavan): I intend to vote against the Second Reading of this Bill. I do so because I have not heard from the other side a single argument which entitles the Bill to any consideration. The right hon. Gentleman, the Chief Secretary, occupied a very considerable time in criticizing some small points in the arguments of hon. Gentlemen on this side of the House, but did not offer a single argument in favour of his scheme. He did not tell us that the tenant farmers in the valley of the Bann were not able, if willing, to drain the valley of the Bann at their own expense. The Chief Secretary told us the Board of Works had made mistakes, but he did not mention a single case in which the Board have been really successful. It would be very difficult, indeed, to find a record of so great a number of failures as that furnished by the Irish Board of Works. But the Chief Secretary has gone further in his condemnation of the Board of Works than any speaker on this side. He has taken the improvement of the Bann drainage out of the hands of the Board of Works, and handed it over to a nondescript commission. The right hon. Gentleman is not content even with the Report of the Commissioners, because he does not propose to carry out intact the recommendations of the Commission. The Commissioners recommend that once for all we shall have done with inland navigation in the lower Bann, but the right hon. Gentleman says he will continue to keep up some of the works, so that if navigation should even become feasible, they can be used. The right hon. Gentleman also says that the ratepayers shall have an opportunity of expressing their opinion. But there is no practical machinery through which he can get an expression of the opinion of the ratepayers. A very large number of the people will not know even whether they come within the scope of the scheme. The best suggestion made was that the Government should wait until they pass their Local Government Bill for Ireland, and then let the local governing bodies drain the Lower Bann at their own expense, if they were so disposed. The ratepayers on the lower Bann are not paupers; they are well able to pay for their own drainage, and if they get it under their own supervision, they will save far more than £20,000. Some £260,000 has been

already entirely thrown away, and it is now proposed to add £60,000 more, which, it is said, will finish the work. But instead of £60,000 finishing the work, there will hereafter be a further application for a fresh loan or a further grant. The House will do well to refuse the Second Reading of the Bill and to ask the Government to bring in a Local Government Bill for Ireland. Then the new governing body, if they think it desirable, may borrow the money to drain the land at their own expense. This is not a work which ought to be undertaken by the Imperial Government.

SIR G. CAMPBELL (Kirkcaldy): The Chief Secretary for Ireland said a great deal about the administrative view of this question, but when he came to the reason why the British taxpayer should pay money for these improvements, he lamentably failed. I protest that having heard the speech of the right hon. Gentleman, I am as ignorant as before of the grounds for asking the British taxpayer to give this money. I do not altogether object in every case to the expenditure of Imperial money in local improvements, but I wish to confine the grounds to special cases of special need. I object on general grounds to scatter Imperial money on local purposes, and I know of no reason whatever why the taxpayers of this country should be required to put their hands in their pockets to give money to districts which are not distressed. It is admitted it is a rich district, and no more claim can be made for it than could be made for any district in the United Kingdom. It was on this ground I gave notice of my Amendment, which I shall not be able to move:—

"That this House declines to sanction a measure which proposes to devote public money to the improvement of private property in a part of the country where no congestion of the population or special poverty is shown to exist."

In my opinion no special case has been made out, and no grounds have been alleged except such as might be advanced in favour of exceptional treatment for any other district. One of my hon. Friends mentioned Scotland, and said Scotland never made any claim for Imperial assistance in matters of this kind, and in regard to the Clyde there is an instance in point. There are works on the Clyde we have undertaken for the benefit of very poor and congested districts, and I cannot see if nothing was done for us by Imperial assistance there why we should vote this large sum for the Bann. Shortly we shall have before us a Bill in which special treatment will be proposed for the poorer districts of the western islands of Scotland, and there, if anywhere, such proposals as these would be justified. When we come to the Light Railways Bill, there may be something to be said in justification of the relief of poor districts, but we know that it is as the hon. Member for Cavan (Mr. Biggar) has told us with that manly independence for which he is remarkable, that the money voted in this way is usually jobbed away and wasted. I can see no hope of any improvement in the present instance, or that you can have any improvement until you have more local control. Members from Ireland are justified in accepting this money for their country, but from the British taxpayers' point of view we, on behalf of our constituents, must resist the proposal. It is an attempt by the Government to stave off the day when Home Rule will have to be conceded, and on the grounds I have mentioned I oppose this Bill.

MR. O'HANLON (Cavan, E.): In my opinion this Bill amounts to a proposal to secure to Ulster landlords their rents. I do not say it will be made a reason for raising rents, but it will be urged as a reason against reductions and for keeping the rents at a higher figure than could otherwise be justified. But I rise to offer an apology for being caught voting on the side of the Unionists, emergency men, and a Government who have tried by every means to de-

grade and harass our people, have put our Representatives in gaol, and have prevented even any meeting to consider the proposals under this Bill. We are asked to accept a Bill upon which those interested have never been consulted. We take the money, as indeed we must so long as England denies us the right of providing for ourselves. We take as much as you like to offer, whatever may become of it, but we take it under protest.

MR. MOLLOY (King's County, Birr): I think it right to explain the course I propose to adopt. When the Chief Secretary brought in these Bills we had a very short debate and hardly any explanation beyond the merest outline, but the right hon. Gentleman told us that on the Second Reading we should have the opportunity of making ourselves acquainted with all the details. Well, I have listened to his speech to-night, and I am bound to say that throughout it all he gave nothing in the nature of an explanation. I heard nothing but replies to the smallest criticisms offered from this side. Now, I think that one in the position of the Chief Secretary, with enormous power, having the control as he has of the government of the country in his hands, and having taken this measure entirely into his own hands, refusing us any consultative voice in its preparation, should have given us some explanation or justification of the Bill. But we have had no justification whatever. Indeed, it seemed to me that he was speaking of a Bill which he believed himself to be already dead; he did not seem to have any heart in the business. As to explanation there was not a word of it given. We have been absolutely boycotted by the right hon. Gentleman, who practically holds the position of Governor of Ireland. I mentioned my objections to the Bills when they were introduced, because in the past proposals of this kind have ever been attended with much ruin and taxation. I know in my own county where lands have been drained at large expenditure, and from 1842 to the year before last we have been taxed for this expenditure, the lands for which all the expenditure has been incurred are now flooded. That is the result I anticipate from this proposal. It is the same with all drainage schemes and harbour schemes for the coast. All local opinion is boycotted when offered in good faith, and the work is put into the hands of men appointed by the Government, who have no knowledge of the local requirements or the conditions under which the works should be undertaken. I know it is difficult to refuse money offered under these circumstances; it would undoubtedly give very desirable relief to many who find it hard to continue the struggle for existence; but in taking it I feel we shall be taking part in a fraud on the public purse of this country. I speak entirely for myself. I do not know what my hon. Friends intend to do, but for myself I take the stand of refusing charity while justice is denied. I refuse, so far as I can, to place my countrymen in the position of paupers upon the public purse of this country. For these and other reasons, with which I need not now detain the House, I shall give my vote with the hon. Member for Sunderland, and against the passage of this Bill into law.

*MR. JOICEY (Durham, Chester-le-Street): I came with an open mind to the consideration of this Bill, and was prepared to receive from the Chief Secretary some defence that would justify me in voting with him. When I heard the speech of my hon. Friend (Mr. Storey) I thought it was unanswerable, yet I waited, suspending my judgment until I heard the Chief Secretary, and now I am bound to admit that I have not heard the slightest justification for proceeding with this measure. The right hon. Gentleman said he had not heard from Irish Members any opposition to the Bill, but he has had that opportunity since. Two at least of the Irish National Party, who have considerable influence in Ireland, have offered the strongest opposition to the Bill. I listened to the right hon Gentleman with great interest. I did not hear the whole of his speech; but just as I entered the House I heard

him declare that this is nothing if it is not a Tenants' Bill. I do not know how he led up to this, but certainly the right hon. Gentleman said nothing subsequently in support of that declaration. So far as I can gather the drainage scheme will tend to increase the value of property in the Bann district, and I know nothing whatever in the Bill that will secure any additional value to the tenants' improvements. I feel sure that the only result will be the increase of rentals, and ultimately tenants will get no advantage whatever. The right hon. Gentleman attempted to defend the Board of Works, and I confess I know nothing of the doings of that Board in Ireland. But I know something of the action of Boards of Works elsewhere and the reputation of the Metropolitan Board of Works is well known and does not admit of much defence. I am not surprised that the Chief Secretary gave up the defence of the Irish Board. The right hon. Gentleman went on to say that the Government were not actuated by any desire to secure Irish support, but I can find no other reason for the promotion of the measure than that advanced by several speakers to produce a plan in harmony with the views of many Irish tenants and secure their votes. Then the right hon. Gentleman proceeded to charge my hon. Friend the Member for Sunderland with having quoted the noble Lord the Member for Paddington without giving his qualifications, but I think the only qualification in that speech had reference to the Local Government Board, and he was the only Member of the Government who did make that qualification. Until I hear anything from Her Majesty's Government to show that they do not agree with the sentiments of the noble Lord—and the Chief Secretary guarded himself against anything of the kind—I shall continue to believe that the sentiments expressed by the noble Lord express the views of Her Majesty's Government. Another reason why I oppose the Bill is a reason the right hon. Gentleman advances in support of it. He says it is less in the nature of piecemeal legislation than any measures that have been put forward previously in regard to these matters. Now, I agree with my hon. Friend (Mr. Storey) on looking with the greatest suspicion upon the beginning of grants to Ireland. Giving of grants is like the letting out of water, slow and gradual at first, but growing to an unmistakable and dangerous volume. On that ground I cannot give any support for a proposal of this kind. Then the Chief Secretary proceeded to make a strong attack upon the hon Member for Camborne because he grounded his objection on unwillingness to give £20,000 to the Irish people, but I maintain that is a very strong objection. I say you have no right to give Imperial grants for local purposes until you can make out a strong case for doing so. No strong case; no case whatever has been made out in this instance, and the objection remains. We have as much right to expect Imperial assistance in reference to our splended river the Tyne as have the inhabitants of the Bann district. We have spent four millions of money in improving our waterway, but we did not think of coming to the Government for assistance though we have thousands of poor people on Tyneside poorer than any of the inhabitants of the Bann district. We believe that there is great safety in having local control over money raised in the locality, and we have no right to enter on this expenditure in Ireland without the safeguard that local control gives. I believe that the Irish people are quite capable of effecting many of their local improvements themselves, and I believe it will be a great safeguard to have these enterprizes under the control of a local Irish Government. Until they have such a safeguard I must refuse to assent to the grant of any money from the British Exchequer unless satisfactory reasons are shown, and a justification such as has not been attempted in this case.

*Mr. PHILIP STANHOPE (Wednesbury): I am glad that the House is at last awake to the very important character of the measure under discussion. The right hon. Gentleman (Sir G. Trevelyan) has expressed a view from the Front Bench which I feel sure will soon be shared by all his countrymen. I believe that the longer this question is examined, the more fully it is discussed the larger will be the vote against each Bill. The right hon.

Gentleman the Chief Secretary is very much mistaken if he supposes that the debate which we have had to-night at all exhausts what can be said on the subject; the Chief Secretary for Ireland has not heard the last of what he was pleased to call "the commonplace rhetoric of Separatist orators" in regard to it. It must be disappointing to that right hon. Gentleman to find that all his kindness of heart and all the warm affection for the Irish people to which he has given utterance has met with so slight a response from their Representatives. Four Members of the Irish Party have spoken to-night, and on a previous occasion the hon. Member for Cork, the Leader of the Irish National Party, in a very short but telling speech, warned the House and the country they were proceeding in a career he thought would lead to financial disaster, and I am glad to see to-night that two of his colleagues have spoken out with no uncertain voice and have declared that the Irish people will repudiate these Bills as they are repudiated by the Radical Party in Great Britain. The Chief Secretary was extremely eloquent in respect to a suggestion that came from one of my hon. Friends that it was desirable that the Commission which is to regulate expenditure should have on it some kind of National representation and his objection was that in such a case it would be impossible to exclude politics. The dogma of the Chief Secretary is that in all matters of administration and control in Ireland the Nationalist element is to be excluded on the ground that it is impossible to admit politics into them. He therefore gives expression to the old Tory creed which has ever been the evil of Ireland, that the Government of Ireland is to be left to the minority of Ireland through the supervision of the Board of Works and a feeble expression of the opinion of Dublin Castle. This Commission provided by the Bill has some curious administrative features. I quite admit that the Government were justified two years ago in fulfilment of pledges given by the Tory Party in sending a Commission to Ireland to inquire into the possibility of developing by public works the resources of Ireland, but the constitution of the Commission to which the right hon. Gentleman has referred was not entirely of an impartial character. When you send a Commission charged with such authority as this Commission enjoyed, it is desirable to combine with the professional element something of a more representative character. I am proud of the profession of which I cannot pretend to be now a very active member, and I enjoy the friendship of several members of that Commission, but this I may say without offence that you can always find four eminent engineers to come to an opinion diametrically opposed to the opinion of four other eminent engineers, yet it is on the authority of four engineering gentlemen alone, without any examination, such as is given to an ordinary private Bill, that the Government suggest to the House an expenditure of a million, which will probably in future lead to a very much larger outlay of money. It does seem to me desirable that we should know a little more what we are about, and I should like to hear more than intelligent cheers from the other side of the House. The Chancellor of the Exchequer must feel some interest in this question, but neither that right hon. Gentleman nor any other of his colleagues in the Ministry have risen to support the Chief Secretary's proposals. Let me point out that the supposed control of the elected Commission under this Bill is not of a permanent character, that their control is limited to a simple veto or sanction of the scheme, and that sanction being given, as it probably will be, then the expenditure will be left to the engineers, and, without doubt, many an apparently good reason will be assigned why the original estimate must be largely exceeded. I am quite willing, for one, to be generous. If the right hon. Gentleman had come down to this House and asked for money, the expenditure of which would have tended to alleviate the poverty of Ireland, if he had asked for money for the purpose of removing some of the redundant population in the congested districts to other districts, and if he had put the expendi-

ture of the money under local and popularly elected control, I do not believe one of my colleagues would have objected to the expenditure. But we do object to the proposed expenditure, and we shall continue to resist it, and I hope my hon. Friend beside me will, on each one of these Bills, call the attention of the House, and, by so doing, arouse the attention of the country to an expenditure which even the Member for North Armagh will not speak of with great satisfaction wken he addresses Unionist audiences in England, and when he is obliged to explain to them the disinterested loyalty of the Irish Landlord party, and how he simply desires from England sympathy and affection, but no money. When he has to encounter the difficult task of showing, that while he speaks in that way, he is assisting the Secretary for Ireland in abstracting money from the National Exchequer, without security, or sufficient control—and, as we think, without justification—I think he will find that the momentary popularity, which he has enjoyed on certain platforms, will for ever disappear.

*Mr. F. FULTON (West Ham, North): I do not wish to detain the House, which is anxious for a division, except to make one or two observations in regard to the remarkable speech to which we have just listened. I think it is a great advantage we should at length understand why it is a new Party has been called into existence in the House—namely, in order that they may come forward and carry out the same tactics which have been pursued by another Party, when it is not convenient for that Party to pursue the course which otherwise they would pursue. It is a remarkable and significant circumstance that these Bills are not opposed by the Irish Members in a body; on the contrary, they are supported by those hon. Members. It is, indeed, true the hon. Member for King's County has spoken against the Bill, but, unless I am mistaken, his constituents as are not in any way interested in the Bann Drainage Bill. But those Irish Members whose constituents are interested, are careful to say that so far from opposing they will support the Bills. Therefore it is desirable it should be understood by the country that the new Party on the Opposition side of the House has been created for the purpose of stepping into the breach, in order to oppose measures which are practically nniversally accepted by the Irish Members, and in order that they may go about the couutry, and say they are the only persons who have any regard whatever for the pockets of the British taxpayer. I only desire to offer these few observations in order to make that point clear.

The House divided:—Ayes 209; Noes 78.—(Div. List, No. 151.)

Main Question put, "That the Bill be now read a second time."

The House divided:—Ayes 205; Noes 59.—(Div. List, No. 152.)

SUPPLY.

Resolutions [21st June] (see page 426) reported.

Resolutions read a second time.

First and Second Resolutions postponed.

Subsequent Resolutions agreed to.

Postponed Resolutions to be considered upon Thursday.

CONSOLIDATED FUND (No. 3) BILL.

Considered in Committee, and reported, without Amendment; to be read the third time this day.

SMALL DEBTS (SCOTLAND) BILL. (No. 153.)

Considered in Committee, and reported as amended; to be considered upon Monday, 1st July, and to be printed. [Bill 286.]

ADVERTISEMENT RATING BILL. (No. 35.)

Considered in Committee; Committee report Progress; to sit again this day.

HOUSING OF THE WORKING CLASSES BILL. (No. 39.)

Order for Second Reading read, and discharged.

Bill withdrawn.

House adjourned at half after Twelve o'clock.

HANSARD'S PARLIAMENTARY DEBATES.

No. 7.] FIFTH VOLUME OF SESSION 1889. [JULY 3.

HOUSE OF LORDS,

Tuesday, June 25th, 1889.

DELAGOA BAY.

QUESTION—OBSERVATIONS.

LORD CASTLETOWN: My Lords, I desire to ask a question of the Prime Minister which was on the Paper yesterday, and refers to a matter of great importance. It is an International question, and largely involves the interests of British subjects. I desire to ask whether there is any objection to any Papers that may exist on the subject of the dispute between the Delagoa Bay Railroad and the Portuguese Government being placed on the Table, and to urge Her Majesty's Government to take the necessary steps to prevent any precipitate action being taken by the Portuguese Government which may in any way imperil the large British interests concerned at Delagoa Bay, or cause damage or injury to British property within the territory of Lorinco Marques.

THE PRIME MINISTER AND SECRETARY OF STATE FOR FOREIGN AFFAIRS (The MARQUESS of SALISBURY): With respect to the first part of the noble Lord's question he will see that, as the matter is still the subject of communication between this Government and that of Portugal, the time has hardly arrived when we can properly lay Papers on the Table. Of course, we shall be happy to produce them when these communications are at an end. With respect to the subject-matter of dispute I cannot speak very fully, for the same reason; but I may say that we have made very earnest representations to the Portuguese Government to urge them to take no hasty steps, but to give time enough for negotiation in order to settle this considerable difficulty. We are advised that the Portuguese Government would not be within its right to refuse arbitration. Beyond these two statements I do not think it is at present desirable that we should go.

LAND TRANSFER BILL (No. 8).

THIRD READING.

Order of the Day for the Third Reading, read.

THE LORD CHANCELLOR: My Lords, in moving the Third Reading of this Bill, I am afraid I must trouble your Lordships with a few observations, as I find that it is encountered by a somewhat unexpected opposition. The question of cheap land transfer is not a new one, either in this House or in the country. This is now the fourth year in which a Bill on this subject has been announced in the gracious Speech from the Throne. On the 21st of January, 1886, it was announced in the Speech from the Throne that a Bill "for removing the difficulties which prevent the easy and cheap transfer of land" would be laid before Parliament, and from that time down to the present Session that assurance has been repeated. The Bill was introduced in 1886, but the change of Government prevented the measure from being proceeded with. On the 31st of March, 1887, a Bill was introduced, which was read a second time without a Division on the following 25th of April. There were Amendments moved and Divisions taken in Committee; but ultimately, on the 12th of July, the Bill was read a third time without a Division. The Bill was re-

introduced in 1888, and was read a second time without a Division and referred to a Select Committee. I hope your Lordships will bear in mind the constitution of that Committee. Although it was a matter very deeply affecting the law of real property in this country, it was by no means composed exclusively, or even in the majority, of lawyers. That Committee sat and devoted a great deal of time and attention to the subject, and I think I may appeal to every member of it, whatever their views, whether every question raised was not carefully and deliberately debated, and the objections of every noble Lord, whether layman or lawyer, considered with care and respect. Of course the Bill could not be formally re-introduced last Session; but the course which was taken was this:—The Committe reported the extent of their labours, and in the present Session another Bill was introduced and referred practically to the same Committee. One noble Lord was unable to attend it, but another noble Lord was put in his place, and the Committee proceeded to take up the work that had been performed by the previous Committee at the point where their Report closed. The Committee have now reported, and although there were one or two questions of principle upon which I do not at all deny it is perfectly fair and reasonable for those noble Lords who were overruled by the majority of the Committee to raise the same questions in the House, I must say I am a little surprised at the terms of the circular, which, I see, has been distributed, in which questions not debated, not raised even in that Committee, are made the ground upon which the very noble Lords who attended that Committee ask your Lordships to reject the Bill. Now, my Lords, in the first place I think it is absolutely necessary that your Lordships should determine whether or not there is to be a cheaper transfer of land, and, if so, if any noble Lord will suggest any mode by which that object can be accomplished, which does not in some way or other interfere with vested interests, well and good. I never joined, and I never will join, in the idle cry against solicitors for the charges that they make. They have done their duty extremely well, with great care and with great success; and if you will render it necessary to have an investigation into the history of every piece of land for the last 40 years, which you are conveying to somebody else, and if people are trained to perform, and do perform, that work, you must pay for that work so done. The whole question is whether you cannot get rid of that enormous burden upon the transfer of land by making the transfer of land more simple, and not open to the objections which now exist, and which over and over again this House has affirmed to exist, and has affirmed the absolute necessity of doing something to remove. My Lords, the details of the Bill I will not trouble your Lordships with. They have been through the Select Committee to which I have referred. I will not speak of myself; but when I look at the names included in that Committee, I think I may say that a stronger Committee, more competent to deal with the particular question on which we are now engaged, it would be very difficult to find at any period in the history of this country. That that Bill has passed with the assent of the noble and learned Lords who sat upon that Committee, and that they, by their Report, recommended it for your Lordships' adoption is, I think, no small circumstance in its favour. Of course, it is late in the day to argue the propriety and necessity of some system by which land can be transfered cheaply and easily. It may be that the nature of the subject-matter is such that it would be an exaggeration to say that you could always do that; but, at all events, you could attempt to clear the titles and render the investigation which I have spoken of unnecessary. Now, how is that to be done? The system which has been devised under this Bill is a system which has aroused hostility on the part of some persons who, I cannot help saying, are not unnaturally affected by their own interests; it is no imputation upon them that that should be so; it is what necessarily happens to all men: but they are extremely anxious I see in some papers that the landowners should not be put to unnecessary charges, and that they should be allowed to remain as they at present are in the hands of their solicitors. An article was published in the *Economist*, not a paper usually devoted to such subjects, in which the writer pointed out that

"The causes of the failure of past attempts to establish a system of registration of title to land in England are not easy to define with certainty; but prominent amongst them must be placed the universal advice of solicitors throughout the country against registration of any kind and the general timidity and conservatism of landowners."

Now, of course, if things do not require any alteration, if things ought to remain as they are, there is no necessity for this Bill at all, and the paragraph which I have quoted in the gracious Speech from the Throne ought never to have found its place in the Queen's Speech at all. But I think it is competent for us to ask those noble Lords who are about to move the rejection of the Bill, what kind of cheapening of land transfer do they propose? Wherein lies the difficulty at present? What is it that makes the transfer of land dear? Can they point to any other source than the legal expenses by which that transfer is necessarily accompanied? And, if so, and if cheapness must be in diminishing the solicitors' charges, it is not too much to expect from any body of men that they will advise that which necessarily involves a loss to themselves. I have said that I think that this is no imputation upon them; it is but natural; it is idle to suppose that they will not be affected by their own interests. And then I understand the alternative is that it should be left entirely voluntary for people to register or not. Well, there has been a voluntary registration already in existence, and I should observe that each and all of the gentlemen who write on this subject regard it with a degree of satisfaction—which, no doubt, they are entitled to enjoy—that the efforts of the noble and learned Earl near me (Earl Selborne), and the efforts of the late Lord Cairns and the late Lord Hatherley and the late Lord Westbury, have all been in vain. I do not know what the consequence to be derived from that is. Are we to allow the very things which have operated as grievances still to exist? Are we not to apply some form of compulsion in order to induce all the great landowners in the country to join in this great operation? Now, my Lords, I cannot help thinking that one very valuable piece of evidence has been supplied by the document which has been issued hy the Law Institution. I am not certain that they intended it in the direction in which I am about to use it; but by way of showing how important it was that registration should be allowed to remain perfectly voluntary they point to the fact that from inquiries they have made throughout the country, if you exempt properties under £300 a year in value it would probably affect half the conveyances of property in the country. I think the effect of that is not quite that which the Law Institution intended to attach to it. Observe how the difficulty of the transfer of land operates in that direction. I doubt whether your Lordships quite appreciate, or are in a position to appreciate, the difficulty which surrounds transfers of a small kind amongst the smaller class of people. There are a great number of noble Lords as to whom I believe it would be perfectly true to say that any purchaser would take any part of their land without any further title than the fact that it was known to form part of their estate, and they can make their own terms and insist upon the purchaser, if he is to be a purchaser, taking such title as they can give. But that is not the case with the great body of persons who want to deal with land; and the result is that you have not any one starting-point from which you can take it that such and such shall be the date after which there shall be no inquiry into title, because all these dealings with land go on perpetuating themselves year by year, and each new purchase involves a fresh investigation, and this may continue for ever. That is the one condition of things which those who desire the state of land transfer to remain as it is must acquiesce in; because I am not aware of any other mode by which the object can be effected except some such mode as that which is described by this Bill. Now, I do not at all mean to deny that there are two questions in this Bill of a fairly debateable character. I mean the question of the law of inheritance, and the question of the Statute *de donis*. With reference to the Statute *de donis*, I can understand and appreciate the value of that Statute as it was observed at first. It may have been right or it may have been wrong; but I can understand and appreciate the policy under which that Statute was observed. But the moment the Courts invented a fiction, as

they did in 1834, to defeat that which the Statute *de donis* prescribed, it appears to me that you have only been creating an artificial proceeding which, by an extensive and circuitous method, may defeat what you have done. I confess myself that I do not see, and I never have been able to see, the value of the Statute *de donis* when once the Real Property Commission in 1834 prescribed a more certain mode of getting rid of the entail. But, my Lords, I go further. I cannot help thinking that however tenable the arguments by which such a condition was permissible and defensible in times gone by, they are quite fallacious now. You say—"We do not want great estates to be broken up." Why, your tenant for life can sell if he likes in spite of you. Subject to a very questionable exception as to the mansion house, the tenant has a right to sell, and to break up the estate in spite of any settlement, under the Settled Lands Act. It appears to me that the whole condition of things, therefore, has been changed. With reference to the law of inheritance, I quite admit again that that is a fairly debateable question. The view which has been taken by those who have a strong objection to the alteration of the law is, I believe, not very much different from my own; but it would have very little actual operation except that it would present an example and create a principle which must be followed up. I am not aware that the practical abolition of the right of dower has led to people leaving their wives unprovided for, and I do not suppose it ever will; but that is a change which has been acquiesced in with great philosophy, perhaps, by those who are not at the moment impressed with Women's Rights. But the question which is contended for, and with a great show of plausibility, is that where you are dealing not with great estates, not with persons who are able to have solicitors as advisers, but with persons who may have small quantities of land and nevertheless die intestate, those persons do not have their property distributed in the way that they would have desired to have it if they had been persons in a different position. I have endeavoured to make some inquiry; but I am sorry to say I have failed to find out anything satisfactory as to the number of great estates—of large landed properties—which have ever passed by inheritance upon mere intestacy. I certainly have not been able to find any frequent examples, if an example at all, of any such transaction having taken place. But what is contended for, and what is pointed to as being established, as a matter of fact, by a great number of persons, is that in the case of very small properties the land goes to the eldest son, which was certainly not what the owner of it intended, but which is a result that does happen, by reason of his not having made a will. Now, I believe that some such alteration of the law as I am now contending for is an alteration which will, in truth, secure the right of making wills and settlements, and that one of the most formidable engines against such rights is the separation of the owners of property into two classes—property owners who own personalty and property owners who own realty. I believe the united body would be if very formidable one to attack; and a every person who has Consols has in his mind that when he is trying to limit the right of the landowner to settle land as he pleases he also limits his own right to deal with Consols as he pleases, I believe the attack against the property owners would be much less formidable than it otherwise would be. But be that as it may, I quite admit that that is a fair question for debate; and the ground upon which I believe it is reasonable and proper that your Lordships should make the alteration is that it will preserve the right of disposing of property as one pleases, subject to legal restrictions, and enable people to make their wills, and to some extent force them to make their wills. Now, upon that part of the question I confess I am a little surprised that no Amendment has been moved by the noble Lord upon the subject of preserving rights which may exist at the time of the passing of the Act in the cases of lunacy and infancy. I remember very well when the first Bill was before your Lordships the noble Lord himself pointed out, with great force and precision, that the provisions of the Bill were imperfect in that respect, and I accepted from him an Amendment which is intended to effect the object which he had in view. Further consideration induced me to suppose that it was both ill-

drawn, if I may venture to say so, and that it would not properly effect the object, and I brought up a clause, half of which the Committee adopted, and the other half of which I believe would have satisfied the noble Lord, and he professed his intention at the time of moving the other half of that clause in the House. Now, I confess I am a little surprised to find that that course has not been taken. I am not surprised at it as a matter of tactics at all; because I can quite understand that if by withdrawing that Amendment the noble Lord can make the Bill open to greater exception so as to unite a larger number of your Lordships against it, it is very good tactics; but I do not think that is a mode in which a member of the Committee at all events should have treated your Lordships. The noble Lord expressed his intention to move that in the House; and although I quite agree that on the Committee stage it was said it would not be convenient to bring it forward at that time, I do not now understand why we have not upon the Third Reading any such Amendment, except that the noble Lord thinks that, as a matter of tactics, it is more prudent to make the Bill open to that exception also. Now, I wish to say one word upon the subject of the expenses which I find has caused such a deep feeling of regret in the minds of solicitors. The paper from which I have already quoted has made a calculation. I believe a gentleman in the Land Transfer Office pointed out by an elaborate calculation, which I know is in possession of one of your Lordships, that this notion of an extravagant expense of registering possessory titles is a delusion. According to the *Economist*,

"The cost of registering an absolute title is not easy to gauge with accuracy, but the estimate given by the Land Registry of the cost of registration of a moderate estate, say £100,000 value, is £29 19s., and an estate has recently been registered, running into five sheets of the ordnance map and valued at £30,000, at a total cost of less than £15."

I know no reason why we should not take those figures as fair specimens of the cost that would be involved under this Bill; and I do not think it is fair to assume, as the circular does assume, that the cost will be so extraordinary, when all the authorities who know anything about the subject tell an entirely different story. I have thought it right to call your Lordships' attention to this condition of the argument now, because it appears to me something in the nature of a surprise in the fourth year, after the compulsion, which was one of the great objections to the Bill originally, has been in a great measure removed from the Bill, to seek to defeat the Bill which has been read before your Lordships now for four years, which has been on several occasions affirmed without division in your Lordships' House; and I cannot help thinking that such an attempt as this to reject a Bill upon its Third Reading after four years of discussion, and without any real debate upon the principle of the Bill upon the several occasions when it has been presented, will not, if it should prove successful, be altogether to the credit of your Lordships' House. My Lords, I beg to move the Third Reading of the Bill.

Moved, "That the Bill be now read 3ª."

*THE DUKE OF BEAUFORT: My Lords, in rising to move that this Bill be not read until this day three months, I must first of all express my regret at finding myself in the position of opposition to Her Majesty's Government; and, in the second place, that it should have fallen to me and not to some noble Lord more learned in the law to better express what I have to state to your Lordships. The noble and learned Lord on the Woolsack has rather complained that we should now attempt to reject this Bill. My Lords, I think that when such a general feeling of dissatisfaction exists throughout the country at the prospect of this Bill passing, it must not unnaturally have been expected that Her Majesty's Government would have withdrawn it. I can only fancy two reasons why this Bill should pass; one because there might be a general wish throughout the country for the Bill, the other that all the landowners, small and large, throughout the country wish for a Registration Act. I am convinced that no such feeling exists either in the country generally or amongst the landowners. We have already seen the working of the Land Transfer Act of 1875. It was prophesied when the Act was passed that there would be a general rush to register properties; but I am informed by lawyers and people

who ought to know that there has been no such rush, but that, on the contrary, the Act has been very nearly a dead letter. I am further informed that the Settled Estates Act of 1882 is working well and satisfactory, and that the lawyers are all getting perfectly accustomed to the working of it, and that it is doing good to the country, and they all unanimously (those that I have seen) tell me that this Bill will only cause great confusion. Now, this has been said to be a Permissive Bill; but upon looking at its clauses, I find that the Privy Council has the power of making it compulsory, and not only making it compulsory, but selecting various parts of the country in which it should be compulsory, and leaving out other parts. I cannot think that that is a satisfactory mode of legislation. I think that one of the most objectionable parts of the Bill is that in which an owner succeeding on the death of his predecessor is precluded from the enjoyment of his property until having paid the succession duty he shall also have paid the registration fees to the Court. There has been a great cry for some years now that it would be of great benefit to the country that all estates should be more divided, and that there should be more small owners of land. That has come about to a great extent, and there are a great many freeholders who own a very few acres of ground. I think it would be very hard upon those people to have to go to the expense of having plans made of their small estates and to have to come to the Registration Courts to register them. It must be remembered that landed property is in a very different state to what it was a few years ago. At that time many a speculator, many a man who, in commerce or trade, had made a fortune, was often found reducing a considerable portion of his income, and found pleasure in so doing, by investing his money in land and becoming the squire of the parish. I am sorry to say those times have passed. Investment in land now means ruinous loss; and if we are to add to that loss the other loss of going into this elaborate system of registration, we shall still further depreciate the value of land, because the whole cost of registration is to fall upon the purchaser. I am told by various lawyers that this registration may be defeated by the old dodge or device of lease and release, and by various modes, which I need not describe to your Lordships, compliance with the Bill when it is compulsory may be defeated. There is one part of this Bill—namely, the fourth part—to which I wish to draw your Lordships' attention. I cannot help thinking that if it is desirable to do away with the Law of Primogeniture it should be done in a straightforward way. The present system, which goes back as far as William the Conqueror, and for anything I know beyond that, has worked well in this country, and it is one of the causes which have made this country flourishing; and I say, if you want to do away with it now, bring a proper measure forward, and let us thrash it out; but to do that by a side-wind—by a clause in a Bill which has nothing to do with the subject—is, to my mind, not worthy of your Lordships' House. Without detaining your Lordships further I will move the rejection of the Bill.

Amendment moved, to leave out "now" and add at the end of the Motion "this day three months."—(*The Duke of Beaufort.*)

THE MARQUESS OF BATH: I trust your Lordships will forgive me for interposing at this moment, immediately after the noble Duke has sat down, to answer a few observations made by the noble and learned Lord on the Woolsack. The noble and learned Lord seemed rather to charge those who had been parties to bringing this subject before your Lordships, and asking you to refuse to give the Bill a Third Reading, with unfair conduct towards him in that respect. It will be in the recollection of the House that the Bill was moved last year, and it passed a Second Reading without a division (I think even without any discussion, but of that I am not sure) on the understanding that it should be referred to a Select Committtee; and, as your Lordships are aware, when an understanding of that sort is arrived at, it is not usual to raise a strong opposition to the Second Reading of a measure, but the opponents of it are disposed to wait till they see the form in which the Bill comes out of the Select Committee before raising any serious oppo-

sition to it. The Bill only partially got through the Select Committee last year. It was moved again this year, and passed a Second Reading. The fact that the opponents of the Bill allowed the Second Reading to pass this year, without a Division and without even a discussion, was simply an ordinary act of courtesy on their part, which is usual on all occasions in this House when a Bill is passing through a Select Committee. After the Bill passed through the Select Committee, a noble Friend of mine spoke to the noble and learned Lord, and pressed him not to take the Third Reading of the Bill before Whitsuntide; and the noble and learned Lord then, as I understand, agreed not to take the Third Reading of the Bill till after Whitsuntide, if the opponents of the Bill raised no opposition to it in Committee; and as we were quite satisfied with the proposal of the noble and learned Lord to raise whatever opposition we should raise to the measure on the Third Reading, we were quite ready to allow it to pass through Committee without any opposition. So far with regard to any complaint of surprise upon the subject. The noble and learned Lord knew perfectly well that the Bill would be opposed upon the Third Reading. Then, the noble and learned Lord complains that we should move the total rejection of the Bill instead of bringing forward Amendments to it. I do not know what line of argument the noble and learned Lord would adopt in this House; but certainly in the Committee, when any serious Amendment was proposed upon any clause of the Bill, we were almost invariably met with the answer that that particular clause was a necessary part of the Bill, and that if it was struck out or amended in the form proposed it would necessitate the re-commitment of the whole Bill. I have no doubt that if an Amendment had been moved at this stage to omit Part 4 we should have been told that Part 4 was a necessary part of the whole measure, and that the throwing out of Part 4, apart from the merits of the question itself, would involve the re-commitment of the whole Bill. My Lords, we are all in favour of making the transfer of land as easy and as cheap as possible. It is to our interest to do so; but the question is, Does this Bill do it? Just let me ask the House to consider that matter. In addition to all the difficulties and all the embarrassments which attend the present mode of transfer of land, you would have the further difficulty and the further embarrassment of appearing in a Government Office to obtain the consent of the Government Office; and both the vendor and purchaser would have to wait the convenience of some Government official before the sale could be completed. At the present moment it is a mere matter between the solicitors, and if anybody is dissatisfied with his solicitor, and with the progress that is being made, he can take the business elsewhere and put it in the hands of another solicitor, who will proceed with the matter more quickly. But if this Bill passes we shall, all of us, in every transaction of the kind be entirely at the mercy of a Government official. Now as to the cost. The noble and learned Lord pointed out that the cost of registration would not be very large. Well, I do not know about that. Just see with what you are going to saddle the country. You are going under this Bill to saddle the country with the cost of an Insurance fund which does not exist at the present moment—a fund to ensure against the blunders caused by the incapacity of the Registrar or the Board of Land Transfer. You are going to saddle the country—perhaps I ought rather to say the land—with an expensive staff who will acquire vested interests, and who will require compensation, whether hereafter this measure proves successful or not. In the initiatory proceeding, that is to say in the first registration of any land, you have to produce maps and descriptions very much the same as you have to produce them in the case of sales by auction. Just consider what the expense of that would be. Then, you will not get rid of your friend the solicitor after all. We should, all of us, like to reduce the solicitors' charges, but you must employ solicitors or agents. And I would call the attention of the House to the fact that the great objection that the solicitors have taken to this measure is not the reduction of charges, but the practice of allowing agents, that is to say persons not professionally qualified, to do solicitors' work. Now it does not signify to us whether we pay

an agent or whether we pay a solicitor; it is equally burdensome in either case, and if this Bill passes you still will have to employ a solicitor to make the arrangements between the parties, to make the application to the Registrar, and to investigate the Register to see what charges there may be upon the land, and so forth. Consols are, and always will be, easier and cheaper to transfer than land, yet nobody purchases or sells Consols except through a proper broker; and do not imagine that by this Act you will get rid of your solicitor. The fact is, this Bill will effect very little saving in the disposal of registered land, and it will impose upon the present generation of proprietors an enormous burden in order to register their land in the first instance. What we object to this measure are the compulsory clauses of it. Why should compulsory clauses be introduced? If this land registration scheme is likely to benefit the land, and to facilitate the transfer of land—and there are but few owners who do not wish to see the transfer of land facilitated—if this Bill would effect that, there is no reason to make it compulsory, because every landowner will rush in and take advantage of it. Just look at the compulsory part of the Bill. It is compulsory in all districts which have been proclaimed by the Privy Council. The registration of land is to be compulsory in every case of transfer by sale or by settlement, and in every case of a successor succeeding to a landed estate under the will of a predecessor it is compulsory upon him to pay the costs of the registration. Whether he may wish to sell or not, whether he may wish to register or not, he is at any rate to be saddled with the cost of registration. A man comes into an estate, and, in addition to Succession Duty, in addition to all the burdens that he has to bear, and the charges he has to pay at that particular moment (and he is probably fortunate indeed if he can get half a year's income out of the first twelve month's tenure of the estate), he is saddled with the charges of registration, although he may not have any wish to sell any part of the property. Then just see how it will work in the case of small proprietors. As to large proprietors the objections will not be so great; but to small proprietors the cost will be absolutely prohibitory of sales. It is a mistake to suppose that these sales are very expensive matters now. I have bought land myself, and the whole charge I had to pay (it was a very small property, it is true) was about £2 18s., including my solicitor's fees. Where there is a good title, easily traced, the sales can be effected at a cost, so far as the conveyance is concerned, of about £1, or a very little more. Then, my Lords, if this Bill is of very small advantage to persons desiring to sell, and of very little good in facilitating land transfer, it really will destroy to an enormous extent the present security of landed property. At the present moment the principle practically prevails of *caveat emptor*, and it is the business of the purchaser to see that he gets a good title to the land he is purchasing; but if this measure passes we shall all be at the mercy of the stupidity and blunders of the Registrar, or of some official at the Land Transfer Office, and there is practically very little appeal. From the decision of the Registrar there is an appeal only to the County Court in some cases, and to a single Judge, who is to be appointed by the Lord Chancellor, in other cases. It is perfectly possible that there may be two applicants to be entered upon the Register. The question may involve the title to a whole estate. It may be a question involving the most difficult and intricate questions of law upon which it would be necessary for the highest and ablest tribunal to pronounce. Yet there is no appeal from the decision of the Registrar except to the County Court, or to a single Judge appointed by the Lord Chancellor, whose decisions are to be final. Then not only is land unsafe by this Bill, but charges on land are also rendered unsafe. You cannot register a trust, and trusts are only protected by cautions and inhibitions. I will not take your Lordships through this part of the Bill in detail; but if you will look at it you will see how illusory even these protections are. For instance, a trustee is bound to enter a caution with regard to his trust. Your Lordships will recollect that only the life owner can be registered. The trustees who represent probably a much larger interest can only be protected by a caution. If the life owner wishes to deal with the estate the cautioner

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may be called on to give security for any damage that may arise from the delay which his caution or objection may cause. That will be a direct discouragement to trustees doing their duty with regard to their trusts. But the caution itself is absolutely valueless, because notices have to be sent. The cautioner is to give an address within the United Kingdom, and if he does not put in an appearance within the prescribed time his rights and his powers are set aside. Further, there is a provision in the Bill that a purchaser for valuable consideration shall not be responsible for the omission to send any of these notices. My Lords, I have done with that part of the Bill. I now only want to say a few words with regard to the other parts. There is one clause in the Bill to which your Lordships' attention ought particularly to have been directed. The matter was raised in Committee, but with very little effect—I refer to Clause 74. At the present moment any person succeeding to an estate under a will takes possession of the landed estate on the death of the owner, the moment the breath is out of his body. By the Bill, as proposed by the noble and learned Lord, that estate—instead of going immediately to the successor—becomes vested in the executors. Now, so far as that provision affects personalty, there would be nothing to be said against it, because money standing in the funds or in railway shares, and so forth, would be in other people's hands, and practically all the executors would have to do in those cases would be to collect the money. But a landed estate is very different. The unfortunate owner may be kept out of his estate for a year at least, and possibly more. He is unable to occupy the house; he is unable to look after the estate; he is unable to exercise any of the rights or duties of ownership. It is in the hands of executors who possibly may be hostile to him, who certainly will be advised by a solicitor whose duties will be not towards the estate to be administered, but towards seeing that the executors whom he is advising incur no dangerous personal responsibility. On most estates there is always a difficult question with regard to the employment of labour, and most persons know that a certain amount of labour has to be employed on the estate which is not commercially reproductive, but which in the interest of the estate, and everybody connected with it, it is desirable should be employed. But can the executors take that responsibility? Is it fair to let them do it; and is it fair, with respect to the owner, that they should be employing people at his expense practically without his consent, and when it is doubtful whether they have power to do so? Then, suppose that an estate is in the hands of executors for a year, and that in the course of the year one of the leases—perhaps a lease for 21 years—falls through; the owner is not in a position to renew it, and the executors, who have no interest whatever in the property, are the people who will have to decide as to the renewal or otherwise of the lease. Take another case. Suppose a tenant whose term is expiring while the executors are in control gives notice that he will only renew upon a reduction of rent, it would then be for the executors to decide whether it was a case of holding out for the old rent, and even allowing the tenant to leave, or whether a reduction should be made which might be perhaps ruinous in the result to the estate. That is one of the most important parts of this measure, and my Lords, it is one of the most dangerous. With regard to the general question of assimilating the law of succession in cases of intestacy in regard to real and personal property, if we are to have it, let us, as my noble Friend said, have it done openly, and in a proper Bill, and let it be well considered by the House and the country, and let us know what we are doing, instead of its being done by a sort of side wind—by clauses tacked on to a Land Transfer Bill. The noble and learned Lord alluded to the question of small owners. It is a very doubtful question whether the present law of intestacy is so unfair to small owners as the noble and learned Lord seems to think. What I should describe as the small owners may be divided into two classes—the artizans, who have gathered together a little money, and who have been able to purchase or build their own house, with perhaps a garden annexed to it, and the small proprietors, who own between five and 50 acres of land. As to the artizans, they are generally the most intelligent of their class, because the

most successful, and they make their wills. The small farmer makes his will much more frequently than perhaps the noble Lord supposes. I think you will find that in the great majority of those cases they do not leave their landed property, whether it is in the shape of a small farm or in the shape of a house, to be broken up and divided amongst the children. The fact is, the artisan who has built a house out of his own savings is perhaps as much attached to it, and as proud of it, as one of your Lordships may be of your own house, and he does not wish to see it sold at his death. They do not do, perhaps, what persons with larger property do: they do not leave everything to the eldest son. It is, perhaps, the youngest son who may get it, or the widow. To suppose that owners of houses of that class wish for a division amongst all the children is not at all correct, as is proved by the wills that the majority of them make. Another great objection to this measure, my Lords, is that you really have not got the whole of the measure before you. You have got the Bill; but there is matter left unsettled in this Bill for another Bill as large again. There are orders and directions which are left to the discretion of the Lord Chancellor, and which may be most important to people concerned in any way in the measure. It is a measure for giving to the noble and learned Lord on the Woolsack a registering power that I doubt whether any Lord Chancellor ever before possessed; and it places in his hands an amount of patronage in this Land Transfer Court that no Lord Chancellor has exercised probably since the original institution of that office.

*THE EARL OF SELBORNE: It is true, as the Lord Chancellor has said, that the principle of his Bill has been very frequently affirmed by the House. The subject is a difficult one, and no doubt it is not a bad thing that some time should be taken to endeavour to ensure a good scheme of this kind. But I think it would have been better, considering the nature of many of the objections which have been suggested, that some endeavour, at all events, should have been made to put forward those objections in detail at a time when they could conveniently have been dealt with. Now, I do not mean to detain your Lordships long. The Bill may be regarded as consisting of two parts—not parts essentially necessary to each other, but (I think for good reasons) combined in this Bill. The first relates to the register; the second relates to some alterations in the law of property. I have a few words to say upon both. With regard to the register, the only real question is, whether it shall be made compulsory to the extent which is proposed in this Bill? I must say on that subject that I was a little surprised at the sort of objections which fell from the noble Marquess who last addressed the House. They were not what I should have expected from him. I do not think we heard the greater number of them at all in the Select Committee. And, if I had been asked what my impression was as to what was likely to be the noble Marquess' view, I should have said that the noble Marquess would strongly object to that part of the Bill which relates to alterations in the law of property; but with regard to registration, I was not aware that the noble Marquess entertained those objections of which your Lordships have now heard.

THE MARQUESS OF BATH: The noble Earl will recollect that I was not on the Committee last year when that part of the Bill was under consideration.

*THE EARL OF SELBORNE: But in the present year all the clauses were again gone through, and anyone who objected to any of them had full opportunity of bringing forward any objections he might have. What was done last year had of course to be done, in one sense, over again. No doubt it is true that those who had nothing to object to the work of last year did not renew the discussions of the previous Session; but I should have thought that those who had anything to object to would at least have given opportunity in the Committee stage for the consideration of their suggestions. I wish to illustrate the value of a certain class of the objections of the noble Marquess by one or two observations. Amongst other great burdens which were to be put upon the country by this Bill there was the Insurance Fund to be formed. I think that those of your Lordships who heard that objection and have not studied the Bill are probably not aware that the Insurance Fund is to be formed by a charge of one farthing in the £1. That

is certainly no very serious burden upon any person who purchases or succeeds to an estate, and in a case where a man succeeds to a large estate, perhaps of the value of many thousands, or even millions, he may very well console himself with the enormous surplus which remains. Then, the noble Lord spoke of the system of caveats and inhibitions as no security against improper transfers on the Register. That is a system which has formed an essential part of all the Registration Acts already passed, and it was never objected to. The answer to that objection is that it is a system which has been for many years in operation, as to the many millions of public funds, which are as constantly made the subject of settlements as is land. You do not upon the register at the Bank of England put trusts or interests of that kind. You keep a simple register showing the legal title to the stock, and anyone taking under a settlement has to enter a caveat to protect himself. No transfer can be made without notice to him, and I suppose it has happened to many of your Lordships that you have received from the Bank that class of notices, and you are told that if you do not object to what is asked you need not take notice of it. If you do, then, you go to the proper Court, and obtain an inhibition. That system has worked inexpensively and well, and has answered every purpose. In regard to the first part of the Bill, it does not seem to me that there is any real substantial question raised except the question of compulsion, and I think that without compulsion, to the extent at least which the Bill proposes, we might as well give up the hope of any system of registration which would be useful to the country at large. If we cannot have a system which will by degrees be brought into general operation, and which will eventually result in simplifying titles to land, facilitating its transfer, and diminishing the expenses attending it for the people at large, for the entire country, for the great and small, who want to deal with land, then there will be little value in any other registration system. In every other country, so far as I know, where there is a register of landed estates, registration is compulsory; and beyond all question, if you do not mean it to be compulsory, you must abandon the idea of effecting that simplification which has long been thought to be of importance. There are two things in regard to the transfer of land which give some real foundation for the outcry that we do not make land accessible generally to those who might otherwise be disposed to buy it in small parcels. There is, first, the enormous expense of making out the title, and, next, there is the much less considerable expense of instruments of conveyance. Now, when you get land upon the Register, you affect both, but in different ways. So far as relates to the instruments of conveyance, unless there be a settlement or something behind which will deal with things outside the registry—if you are content simply with the ordinary transfer of land, it cannot be doubted that a transfer upon the Register such as is proposed by this Bill would be the simplest thing in the world, and would cost next to nothing. There can be no doubt that the legislation of recent years has greatly diminished the ordinary expenses of Deeds and Conveyances; but in that respect much more will be done by this Bill. The most important thing of all, however, is the operation of the system in getting rid, in the course of time, of the expense of making out titles. I do not speak of cases of absolute title or qualified title which approach to the absolute, because the Bill is not compulsory in respect to them, and really in that respect makes no alteration in the existing law. But when you register a possessory title, the only thing necessary will be to prove that you are *bonâ fide* in possession, and to produce the conveyance, will, or settlement, under which you claim. As time rolls on, titles that were originally possessory will, on the register, become practically absolute, and the burden and expense of making out titles in the ordinary way will diminish every year and ultimately cease. But if there is anything in the world that can be demonstrated, it is that without compulsion on the occasion of sales we cannot accomplish that object; and with compulsion I believe it may be accomplished. With respect to the part of the Bill which I strongly suspect is the part to which the noble Marquess really objects, I mean the part which makes certain changes in the law of property. I

have never been one of those who hold the very strong opinions which are often expressed as to the evils of the law of settlement; and I confess that I have not always thought that there was any necessity for altering the law of inheritance. On such subjects something is to be said on both sides, and no man need be ashamed if he changes an opinion which he at one time entertained. By the Bill, in the case of intestacy, land is to pass like personalty. With the power of making a will that will hardly affect the larger and more important estates; but it may affect the smaller estates, because they are often held by persons who do not well understand the law as to wills, and who often omit to make wills. There has been a growing feeling in favour of that change. There really is more justice in an equal division on the part of the law—because the owner is left to do what he thinks right by a will—there really is more justice when the law has to regulate the succession to land in making it equal, and in providing for all the children, than in giving the whole estate the eldest son. That is the feeling which has been growing in the country, and I think it would be wise to give effect to it by this Bill. Then as to the clause which relates to executors, the noble Marquess knows that I participate, to some extent, in his objections to it, and that I voted against it more than once in the Committee. But it is considered necessary by many lawyers, both in order to facilitate the payment of debts when recourse must be had to the real estate, and to prevent a suspense of the registered title when there is any question as to the effect of a will. My own objections to it were much mitigated by the introduction of a clause enabling the executors, when they wish to be relieved from the responsibilities connected with land, to assent to the registration of the beneficial owner at any time, even without being registered at all themselves, and by enabling the beneficial owner to insist upon a transfer to himself in every case at the end of one year, unless good cause can be shown to the contrary. And I do not think that the rights and duties of the beneficial owner would be interrupted in the meantime, in the way that the noble Marquess supposes. The Bill provides expresssly that the personal representatives of the deceased owner, subject to the liabilities of the property, shall hold the real estate as trustees for the persons by law beneficially entitled thereto. They cannot keep the owner out of his house or his property, as the noble Marquess appears to suppose, unless they can show that for some good reason it is necessary to do so. Therefore, although I do not mean to say that I like this clause so well as the rest of the Bill, I should be sorry if your Lordships, after all that has passed, did not now send it to "another place," where, if there are serious objections felt to it, they will no doubt be duly considered. The only other important alteration of the law in that part of the Bill is where estates tail, as we call them, are turned into estates in fee-simple. I myself think that the clause will not operate to the disadvantage of the owners of landed property. There will remain all the powers which are now possessed by the owners of personal estate, of leaseholds, money in the funds, and everything else; and experience has shown that those powers are amply sufficient for all the reasonable purposes of settlements. I shall be sorry to see the power of making reasonable settlements on those occasions on which they are naturally made taken away, as to either land or personalty; but I think it is not necessary for the good of families, or for the public advantage, that land should be tied up longer than personalty can be. There are persons who would go much further than the Bill goes in the direction of interference with the power of settlement, and I am sure that neither landed property nor its owners will gain by the maintenance of unnecessary distinctions between real and personal property. I sincerely hope that your Lordships will pass the Bill

*Earl BEAUCHAMP: My Lords, the noble and learned Lord who last spoke altogether failed, in my opinion, to meet the objections raised to this measure by the noble Marquess. Of course, the executors cannot alienate the property or otherwise deal with it; but as a matter of fact, they can keep out of possession for a time the persons entitled to it. The noble and learned Earl gave what I must take leave to describe as a very remarkable examination of the observations of the noble Marquess with regard to expenses. The noble Marquess

contended, and I think with justice, that this Bill will entail great expenses upon the landed interest. What was the answer of the noble and learned Lord? He said the Insurance Fund is not to exceed more than a farthing in the £. Yes, but what will be the other fees? Has the noble and learned Lord ventured to form any estimate as to what the other expenses will be? If the provisions of the Bill are looked into, I do not think it will be found that the noble Marquess has taken at all an exaggerated view of the expense. We have heard estimates before now of expenses under various Bills. We were told that the Education Rate would never exceed 3d. in the £, and we know how that prophecy has failed. I decline to accept estimates so indefinite as those to which we have been treated by the noble Lord. What was the other observation that the noble and learned Lord made upon my noble Friend's speech? He told us that the system of caveat was a system in use with regard to the public funds and with regard to moneys passing every day. But your Lordships will remember that there is a very great difference between dealing with funds or railway shares and dealing with land. If you are defrauded of so much money, those who commit the fraud can be made to pay it back again; but if you are defrauded of land, very great injustice is done to you and those coming after you. The nature of land is altogether distinct from the nature of money. But, said the noble and learned Lord, the principle has been over and over again adopted by this House. Is that so? There was an occasion, in 1875, when the noble and learned Lord himself raised the question of compulsion, and your Lordships distinctly rejected it. The question was then precisely on all fours with the question raised in this Bill. Lord Cairns, in the year 1874, brought in a Bill in which he accepted the principle of compulsory registration of title in deference to the noble and learned Earl who had then preceded him; but when Lord Cairns fully examined the question, he found that the reasons against compulsory registration of title far outweighed the advantages to be gained from it, and Lord Cairns, in 1875, deliberately omitted from his Bill the principle of compulsory registration of title to land. The noble and learned Lord opposite (Lord Selborne) raised the question in this House, a distinct issue was taken, and a distinct verdict was arrived at. Therefore, I say, that so far as the verdict of this House has been pronounced, it has been pronounced distinctly and unequivocally against the compulsory registration of title to land. I would venture to say something now in reference to what fell from the noble and learned Lord on the Woolsack with regard to the course of proceeding. I am not open to the charge of not having taken exception to this Bill. Last year, on the occasion of the Second Reading, I ventured to trouble your Lordships at some length with regard to my objections to part 4, and I shall not now repeat them; but at all events, I did raise those objections, and as the noble and learned Lord on the Woolsack says, part of them were raised before the Select Committee, and so far as regards the right of persons taking through lunatics and minors dying intestate, the Committee gave effect to the objection which I raised so far as existing settlements were affected; but when the question was raised with regard to lunatics and minors in the future, the noble Lord who had supported me up to that point informed me that as regarded the future, though he had drawn the clause, he was not himself prepared to support it. Under those circumstances, I did not see my way to pursue the subject further before the Select Committee. But, at the same time, I consider I am quite within my right in raising the question before your Lordships at the present moment. The noble and learned Lord on the Woolsack said he had been taken by surprise. Why, it is nearly a month ago since the first notice was given in this House. The moment the Bill had passed in Committee, notice was given that objection would be taken to the whole Bill on the Third Reading. Therefore, I fail to see how the noble and learned Lord can have been taken by surprise. I will not trouble your Lordships upon part 4, but I should like to say a word or two with regard to this question of compulsory registration. It is perfectly true, I frankly admit, that when the Committee were going through that part of the Bill, I was not so conversant with the matter

as I have been compelled by circumstances to become now; and I had then more confidence in the noble and learned Lord on the Woolsack than at the present moment, I am sorry to say, he enjoys. I then did not appreciate all the mischiefs that were lurking behind the question of compulsory registration, and I did not know the great authority which there was against it. The noble and learned Lord may take that admission for what it is worth. We are not all of us trained lawyers. But I wish your Lordships to consider this. The landed interest in this country does not exist for the sole purpose of affording subject-matter for a scientific system of the sale and transfer of land. The sale and transfer of estates forms but a very small part of the laws affecting land. The primary object of the land laws of this country is not that land should be bought and sold, but that a person should enjoy peaceably the land which belongs to him. The sale and transfer of land is a very small percentage of the transactions. There are questions of mortgages, there are settlements, there are charges of all sorts and kinds, and when, after all, you have succeeded in making a theoretically perfect system for the sale and transfer of land, if you attain that theoretically perfect system at the expense of great inconvenience and annoyance and delay and cost attaching to all the ordinary transactions of every-day life, you are buying very dearly, indeed, a theoretical advantage for which you get no adequate compensation. The interests of the land of this country, are of far more importance than satisfying the theories of pedants and fanatics with regard to the transfer of land. I take it that the object of the land laws of this country is the peaceable enjoyment of land, and not merely the facilitating of the transfer of land. I wish to remind your Lordships that in the year 1878-79 a very strong Committee of the House of Commons sat to inquire into the reasons why Lord Cairns' Act of 1875 had not proved popular and effective. That was a very strong Committee, which was composed of persons fully conversant with the matter and conversant with the ordinary transactions of everyday life affecting land, and it made a most valuable and important Report. Various persons gave evidence before that Committee, and amongst them was a noble Lord whom I do not see in his place (Lord Thring). Lord Thring said:—

> "The only question is whether it is the province of the Legislature to compel a man to do with his own estate what he does not wish to do."

That was the view that Lord Thring put in his evidence before the Committee with regard to the abstract propriety of the Legislature compelling a person to do with his property that which he does not want to do. Then, again, Mr. Howard Elphinstone gave evidence before that Committee. He said:—

> "I may say as a matter of history that in England, whenever you passed an Act of Parliament to make people do something which they do not like to do they have never done it. . . If you tried it we should set our wits to work to evade it."

I think, my Lords, that is the result of passing laws which are not in consonance with the real wishes of the people—that if you pass them they will evade them. I am rather surprised that after what has been said before we have now heard so little about Australia. The noble and learned Lord said just now, as I understood him, that in all other countries there was a compulsory system of registration, but I cannot endorse that observation. It is perfectly true that in Australia there is a compulsory system of registration; but it is not a compulsory system of registration of title; it is a compulsory system of registration of deeds. I will say something presently about the application of such a system to this country; but so far as Australia is concerned, it is a system which is, in its essence, a voluntary system. It is a system so consonant to the wishes of the people that the compulsion is not brought into use. There is no such thing as a compulsory system of registration of title in Australia; it is only that it has become so convenient to do it that everybody does it. But, my Lord, the circumstances of Australia are not at all to be compared with the circumstances of England. The Committee of the House of Commons to which I have referred with regard to Australia, took the evidence of Sir Robert Torrens, the author of the system, and the evidence of Sir Arthur Blyth, a person

most competent to give an opinion upon the subject, and they described the difference which existed between this country and Australia. In Australia you have a system of Crown grants, all of very recent dates; you have young titles; you have habits and customs of the people entirely different from our own. They look upon land as an article of commerce; they have not ancestral traditions or title deeds going back centuries as we have in this country, and yet, notwithstanding the difference between Australia and England, notwithstanding the advantages which the system in Australia gives to the landed interest, there the registration of title is not compulsory. I beg your Lordships to understand that it is the registration of deeds which is compulsory, and that is a most important distinction. The Committee of the House of Commons to which I have referred, which sat during two Sessions —1878 and 1879—made various recommendations for the improvement of Lord Cairns' Act. What do you find in the Report of the Committee? Did they recommend the compulsory registration of titles? No; I do not think any voice was raised in that Committee in support of such a proposal, and certainly it is not recommended in the Report. Nobody pretended that compulsory registration would be a panacea for Lord Cairns' Act. And that, I must remind your Lordships, was after the noble and learned Lord (Lord Selborne), who had always been a strong advocate for compulsion, had raised the question in this House; and, therefore, it had been fully before this Committee of the House of Commons, and they deliberately refrained from recommending compulsory registration of title. Then, did they recommend so drastic an alteration of the laws of real property as that which is embodied in the Bill before us? No, they did nothing of the kind. There was a gentle hint to the effect that some such a scheme had been proposed, but they carefully refrained from making any such recommendation. Then did they propose any shadowy scheme which would invest the Lord Chancellor for the time being with not only a vast amount of patronage, but a vast amount of legislative power such as is reserved to him in this Bill? No, their recommendations were very different. One of the first things, if not the first thing that they recommended was the curtailment of conveyances, and that has been done. In the year 1881 Parliament passed an Act, at the instigation of Lord Cairns, which very greatly curtailed the length of conveyances, and simplified enormously the transfer of land. That was the practical recommendation of the House of Commons, and to that Parliament gave effect. They recommended further that there should be a representative of real property in the case of death. That is a matter which I will not pursue further, because it has been already adverted to by the noble and learned Lord, and although it is proposed by this Bill, it is not such a serious matter that I need trouble your Lordships upon it. Another practical recommendation which they made was the acceleration of the completion of the cadastral survey, and that has been done. Then another matter which they recommended was the establishment of district centres for the registration of assurances with proper indexes. Your Lordships will remember that the great cost of conveyancing, and the great bulk of the conveyances, is mainly due to the recitals of deeds; and, therefore, the system which was adopted in 1881, upon the recommendation of Lord Cairns, following out the Report of the Committee of the House of Commons, is one which must, generation after generation, bear increasing and additional fruit, and tend very much to diminish the cost of conveyancing, upon which so much stress has been laid. Those, my Lords, were the practical recommendations of the Committee of the House of Commons in the year 1879. There are 10 recommendations altogether, but I will not weary your Lordships by pursuing them. Yet, my Lords, what we are asked to do now is not merely to confirm and strengthen Lord Cairns' Acts of 1875 and 1881, but you are asked to introduce a system which he deliberately rejected. I think it is a great mistake to be always interfering with our landed system. If a gentleman has a new and ambitious gardener who is always desirous of investigating the growth of the roots which his predecessor planted, and was always digging them up for the purpose of investigation, or for the purpose of establishing some new system, you

would not find that his employer gained a very great profit by him, and I think we should do much better to leave the operation of Lord Cairns' Act, as improved and simplified by the Acts of 1831 and 1882, rather than indulge in an ambitious scheme for unsettling what is already done, and making a fresh departure. I should like to say something more with regard to the expenses under this Bill. Lord Cairns gave evidence before that Committee, and he said that he thought, assuming that the principle of compulsory registration were adopted, it would be quite impossible to do with less than 60 registration divisions. Think of that, my Lords—60 Land Courts all over the country! That cannot be carried into effect without a staff of Registrars and officers of all kinds all over the country which must involve very considerable expense, and there is this further consideration—we have made great sacrifices to simplify county administration. We were told "Your Poor Law Authorities and your County Administration overlap," and yet now you are going to introduce an entirely new division into the country for the purpose of land transfer, and to add additional complications to those which already exist. I must say that it seems to me, after the legislation of last year with regard to the simplification of County Administration, it is rather strange to find the authors of this Bill introducing an entirely different system for the division of the country for legal purposes, for the registration of land titles, without any indication whatever as to the method of division which they propose to adopt. You may look the Bill through, and you will find no clue whatever to the manner in which the country is to be divided for this purpose. It is entirely to be done by Order in Council; and thus the system is not, in the first instance, to be compulsory. You are to have, by degrees, first one, and then another, district brought within the circle of compulsion. My Lords, I venture to think that the history of land law reform in this country is a very instructive one. Where those reforms have given effect to popular opinions which have been gradually growing, they have been gladly welcomed throughout the country; but I am convinced that if we introduce a new system which is alien to the wishes of the people, you cannot expect that the legislation will bear good fruit. I ask the authors of this Bill, Have you confidence in this system or not? If you have confidence in your system, why is it necessary to compel everybody to come in? You have the example of Australia to show you that if you have a wise and proper system people will gladly come in, and it will in a very short time meet with universal adoption. If, on the other hand, you have not confidence in your system, what right have you to charge the landowners of the present generation with the enormous cost and inconvenience of the system which you propose? If you tell me it is for the good of posterity, then I say posterity ought to pay. If it is for the good of the society at large that 30 years' hence titles should be simplified, I do not see why you should put the unfortunate owners of land at the present moment to the great burdens which the Bill would entail. Surely if you are doing it for the benefit of the community at large, the community at large ought to bear the cost. This is not a moment when the landed interest can voluntarily take upon itself a burden so great. I venture to think that if Lord Cairns, with his great sagacity, recoiled from making his system of registration compulsory, we cannot expect success at the hands of those who are now trying to string the bow of Ulysses. When we know that the mature judgment of Lord Cairns was against compulsory registration, I do not think we should be wise in now attempting to establish it. We have been told that this is a Bill coming from the hands of a Conservative Government, and that, therefore, we ought to accept it. My Lords, I think an argument of that kind comes too late. We who are engaged in painfully trying to lick into shape the frankly democratic measure known as the Local Self-Government Bill, and are now only beginning dimly to appreciate the large burden which it imposes upon the land, cannot blindly accept at the hands of Her Majesty's Government any measures they choose to propose without knowing what will be their exact effect. I decline to take this matter upon trust from Her Majesty's Government. I think it is the duty of your Lordships when a measure of this sort is submitted

to you to consider it carefully, and to ascertain whether it has been coined at Hatfield or at Brummagem. We are told that if we do not agree to this measure now, worse things are in store for us. I cannot accept that argument. It was used once very successfully by Sir Boyle Roche, when he said that he would sacrifice one-half or even the whole of his liberties in order to preserve the remainder; but I am not prepared to sacrifice the half simply because the loss of the remainder is threatened, and I do not see that it is wise or prudent for us to accept a measure which we believe in our hearts to be mischievous because it is for the convenience of Ministers or because it is feared something worse is coming. I should like to remind your Lordships, in conclusion, of some words used in this House in the year 1871:—

> "After all, if we are only to exercise our authority by sacrificing our opinions, is it quite worth while to possess that authority at all?"

Those are the words of the Marquess of Salisbury, and I commend them to your Lordships' consideration. I heartily support the Motion of the noble Duke for the rejection of this Bill.

*VISCOUNT CRANBROOK: My Lords, I think the allusion which my noble Friend has made to the supposition that this Bill does not represent the opinions of my noble Friend behind me (the Marquess of Salisbury), but is forced upon him, may be passed by without further remark than to say that it is absolutely without foundation. Then my noble Friend says that the Bill would put burdens upon present landowners for some prospective benefit. In the main, the compulsory part of this Bill does not affect the present landowners because the provisions of the Bill as to the registration will only come into operation on a change of owners by succession, purchase, or otherwise; and, therefore, that part of the measure does not necessarily fall on the present generation, and, as a matter of fact, posterity will pay the cost of registration and not existing owners. I am not prepared to accept my noble Friend's definition of the position of landed property in this country, or that legislation of this kind for the easy transfer of property is against the interests of the landowners, and that what we ought to be doing is simply to make them comfortable in the position which they hold. It is quite true that many men do wish to retain and enjoy very large quantities of land of their own, and there is no occasion for them to be apprehensive; but there are others who wish to have facilities to part with their property, and they ought to have those facilities.

*EARL BEAUCHAMP: I pointed out the ample powers already existing.

*VISCOUNT CRANBROOK: My noble Friend says that the existing powers are ample, and he actually calls in aid the opinion of my noble Friend Lord Cairns. I should say that the opinion of Lord Cairns was quite the contrary to that which my noble Friend represents, because we must remember that Lord Cairns did introduce a measure for compulsory registration, and, although the current of opinion at that time induced him to withdraw it, we do not absolutely stand still in these matters; and no man who has seen the changes that have taken place with regard to the landed interest under the Settled Estates Act and other Acts can fail to recognize the advance that has been made. Suppose a man has only a possessory title, such a title held for twelve or twenty years practically gives him an absolute title, and one that cannot be interfered with. From that time forward all the conveyancing of that estate will, under this Bill, be settled practically by a mere record on the register. And how small will be the registration fee in comparison with the advantage gained, and how small the insurance. This is not a question simply for landlords altogether, or for the smaller holders or any one else connected with landed property. It was to put landed property on such a footing that those who have the power and means should be able to buy without plunging into extravagant expenses for researches into title. It is for the interests of the country that the transference of land should be as easy as that of personal property, because it is important there should be a larger number of proprietors of land who should have a deeper interest in the stability and the institutions of the country; and I believe that by accepting this Bill your Lordships will be beginning a system which will go far

to accomplish an end so much to be desired.

THE EARL OF MILLTOWN: My Lords, if this Bill had been simply a Land Transfer Bill to facilitate the transfer of land, I certainly should not have opposed it; but, unfortunately, my noble Friend, for some reason or other which I cannot define, has thought proper to enshrine in the Bill a principle which is of the most revolutionary and dangerous character. Probably there is no Member of the Front Bench who was a Member of the House of Commons when Mr. Locke King almost annually brought forward his Bill for assimilating the law of real property to that of personal property in cases of intestacy who has not voted against that, while many must have spoken against it; and I confess it does seem to me a strange thing that, without any pressure from without or demand for it in the country, my noble and learned Friend on the Woolsack should initiate in the House of Lords a revolutionary change to which the House of Commons has never yet assented. The object of those who advocate the assimilation of the law of real property to that of personal property is an obvious one. It has ever been the pet project of the extreme Radical Party, and their object is plain. It must lead to the destruction of the landed gentry and eventually of this House. That proposition has always received the opposition of the greatest and most trustworthy statesmen of all Parties. You are asked to assimilate things which in their essence are totally dissimilar. There is no difficulty whatever in dividing money, but in dividing land you may seriously impair its value. This distinction has always been upheld by the law of England; and I will call your Lordships' attention to what was said upon this subject by Mr. Disraeli, then the Leader of the Conservative Party in the House of Commons. On one occasion, when he, in common with the whole of the great Party of the day, was opposing one of Mr. Locke King's Bills, he said—

"It might be the opinion of some honourable Gentleman that there ought not to be any difference in the law between real and personal property. But one thing was quite clear, the law of England does acknowledge such a difference. He confessed he had himself a very strong opinion upon it. He thought that there ought to be a difference very much between real and personal property. The whole of our social system was built up upon that difference, and the Constitution of this country mainly depended upon the recognition of that principle."

A Division ensued upon the Bill and the result was, for the Motion 82; against, 203; and amongst those who voted against it were found such names as Sir William Molesworth, Lord Palmerston, and Lord John Russell, and also—a name which may, perhaps, carry conviction to some noble Lords opposite—Mr. Gladstone. Now, my Lords, the law of this country has settled that in case of intestacy personal property shall be divided in a certain manner. The law has done for a man who dies intestate that which it is supposed a reasonably just and fair man would have done for himself if he had made a will; and, therefore, it has divided the personal property in the manner which is well known. Otherwise with real property, because no just or wise man would order his landed estate to be divided. Yesterday I went into the Library of your Lordships' House and I took up at haphazard two volumes of *Hansard*. I find that on March 15th, 1855, the then Solicitor General, Sir Richard Bethell, said—

"One hon. Gentleman said that the greater part of the large estates went by the law of entail; but if the law were altered what became of the principle upon which our settlements were founded and maintained? Would the great settlements of the country be permitted to remain if the law of primogeniture were taken away? The hon. Gentleman who brought forward the measure knew that, should they abolish the law with respect to the succession of the eldest son, the whole principle and form of arranging settlements, and the foundation on which the order of estates was fixed, would fall, and they would have nothing more than estates divided indefinitely, to the great disadvantage of the country, economically, socially, and, he would hold, agriculturally."

That is not the only opinion that I found in this debate to the same effect. I read the speech of Sir George Cornwall Lewis, who said:—

"The effect would be to extinguish the class of persons who were denominated heirs. There would be no such thing as inheritance. No person would hereafter be heir to landed property. That, he apprehended, would clearly be the effect of the Bill. Under the present system the younger children could have no reason for complaining of injustice or partiality on the part of their parents. But if this Bill became law the feeling would be entirely inverted. A person who made a marriage settlement according to

the present system of marriage settlements, would be robbing the younger children of the rights which the Common Law would give them."

There was a Division on that occasion, and the result was, for the motion, 76; against, 271; majority, 195. Then, my Lords, it will be said this will not matter much, because every man may make a will. I recollect my noble Friend the Prime Minister two years ago said this is really a Bill to compel everybody to make his will. You cannot compel a man to make a will by Act of Parliament, any more than you can make him sober or moral. On this point I would like to read what Sir Frederick Thesiger, afterwards Lord Chelmsford, said in the House of Commons, on the 8th of March, 1854:—

"He had heard it said, 'There can be no harm in it, because there is nothing to prevent a person from making a will, by which he can obviate the distribution of his property.' Now he did not think it was a good course of legislation to pass laws because they could do no harm. He thought it was very desirable, when a mischief was to be remedied, or an improvement was to be made, that a law for such a purpose should be passed; but he could not agree with such a principle as that which had been alluded to with regard to the law of succession. It was very true persons might obviate the operation of the law by disposing of their property by will; but if they did not, that which he thought an objectionable principle would come into operation, and thus at once an effect produced, which was contrary to the institutions of the country, and contrary to the laws, and had been considered prejudicial in the course of our history."

My Lords, I shall oppose this Bill with very great reluctance for many reasons, but without the slightest doubt as to the propriety of my vote. It is our duty to vote without any fear of the consequences. If your Lordships think that the objections which are urged are without foundation, then the Bill should be passed; if, on the other hand, you consider that it will be pledging the House to a mischievous principle, if you consider that it is such a Bill as you would not have looked at if it had come from the opposite side of the House, then your Lordships, in my opinion, have but one duty, and that is to reject it.

Lord HERSCHELL: My Lords, I am not going to enter into any elaborate argument as to whether the law of succession ought to remain as at present, or whether the devolution of personalty should be assimilated to the devolution of realty. I do not myself believe that it is a question of such enormous importance as the noble Lord has suggested. Neither do I believe it will revolutionize the dealings in land in this country. The noble Lord has quoted with approval a statement that if the law were altered landowners would cease to leave their estates to their eldest sons, and that they would feel it harsh and monstrous to do so, seeing that the law had provided another distribution in the case of real estate. Now, I believe that there would be ample inducements still to those who could properly do so to leave their estates undivided. The owner of an estate who could make proper provision for the rest of his children would not feel that he would commit any wrong in leaving his estate to his eldest son, and so preserving it intact. Landowners who cannot make proper provision ought not to do so, I admit; but in all cases in which it can be properly done, I cannot conceive that there would be any reason owing to the change of the law why it should not be done. Though the law regulates the distribution of personal property in the case of those dying intestate, it is by no means the universal practice of testators when they deal with their personalty to distribute it precisely as the law would distribute it in case of intestacy; and I cannot suppose that that freedom of disposition which prevails in case of personalty would cease to prevail in cases of realty. I myself believe that there are a great many cases in which the operation of the law as at present existing works injustice. A great number of small owners of land do not make wills. In the case of proprietors of large estates, where there is an object in keeping the estate together, wills are made, or the result is secured by settlement, and therefore I do not believe, in the case of large estates, that the alteration of the law would have any sensible effect; but in the case of small properties it would have an effect, and I think it ought to have an effect. Now, I turn for a moment to another part of the case. If I thought that this Bill would really impose serious burdens on the landowners of the country, I should say that a very strong case indeed had been made out against it. But I have never been able to see how the cost of

the serious burdens it would impose is calculated. Two attacks have been made on the Bill from opposite quarters. The landowners are afraid of the operation of the measure because of the great burden it would impose upon them; but I have also read in a legal periodical the most alarmist statements about the effect it was going to produce on country solicitors. According to this periodical a large proportion of country solicitors would be ruined by the Bill. No doubt that would be a very lamentable thing; but if that is going to occur it is difficult to see how it can occur without somebody benefiting. If the country solicitors are to be ruined it must be by the money which is now going into their pockets remaining in the pockets of the landowners. That seems to be the general result. That is my answer to the contention that if the system is so good it might be left voluntary. Again, while not making the slightest imputation on the honour and uprightness of the solicitors, I would suggest that those who, it is alleged, would be likely to suffer by the adoption of the system would not be the most impartial advisers, however impartial they might desire to be, as to whether the law should remain as it is at present. Further, I would say that people are very apt to continue in an old and accustomed course, even if a newer one were more convenient and beneficial; and this is why the system should not be merely voluntary. The noble Earl opposite (Earl Beauchamp) said that in Australia the system is not compulsory; but practically, according to the noble Earl's own statement, it seems to me that this is not the case. There is no compulsory registration of titles; but there is a compulsory registration of deeds, which is so much more objectionable that every one registers the titles. I call that compulsion, and a very inconvenient form of compulsion. Now, one word as to the extent of these burdens. All the Bill requires is the registration of titles, which is a matter that ought not to involve any serious expense. Registration is only compulsory in the case of sale, when the expense falls upon the purchaser, or upon succession; so that existing owners need not register at all. No doubt in the case of succession it does exercise a certain amount of compulsion—that is to say, on the next successor to the estate. But I have been looking at this question of fees, and I find that on an estate of the value of £200,000 the fees payable would be about £50 or £60. It has been urged that the successor might never desire to sell, and so would not derive any advantage from the registration. But such persons often desire to mortgage, and when the land is once on the register mortgage will become a cheaper and cheaper operation. This, I venture to think, is a great benefit, which is worth securing by any landowner. I believe most strongly that the landowners will find it for their advantage to have their lands on the register; and when once you have the register established and in operation, not only the selling but the whole operation of charging or mortgaging will be simpler and cheaper than it can be now. Nobody can be more conscious of the enormous difficulty of the subject than those who served during 18 months upon the Select Committee to which this Bill was referred. I do not for a moment say that it may not have its blemishes and defects; I think it almost certainly has; but it will go elsewhere and be considered by others, and every flaw in it is likely to be discovered before it finally passes into law. But I should regret that your Lordships should put a summary end to the measure now before you, because I believe that it will be done under a mistaken apprehension, and that those who now oppose it would find that in the end it would be to their own advantage.

*The Marquess of SALISBURY: Before your Lordships go to a division I should wish to say a few words in support of the doctrine laid down by my noble Friend behind me—that your Lordships should not use your authority except in support of your own opinions. My fear is, from the peculiar use which has been made of the forms of the House, that there is a very great danger of your Lordships voting on this Bill for that which will not be your own opinions. I do not know whether your Lordships have noticed that the speeches made against this Bill have been a succession of speeches in Committee. They have been speeches against particular features of this Bill, which could have been struck out of it without affecting its essential principle or the

operation of its machinery. My noble Friend behind me devoted the whole of his speech to one clause of the Bill—an important clause, I do not dispute, and one upon which opinions may differ, but one which could have been struck out without seriously impeding the operation of the rest of the Bill. On that ground he proposed to reject the Bill. In the same way, earlier in the debate, the grounds urged against the Bill were not grounds levelled at its principle, were not grounds denying the beneficence of its objects, but grounds of detail, such as objections to expense and machinery, which ought to have been urged and discussed in Committee. In regard to the question of expense, I will not go over the ground so ably traversed by the noble and learned Lords opposite; but I wish to give your Lordships some figures, which have been given to me on very good authority, as to what has been the actual expense of the machinery now existing, which will be the same machinery as that to be employed under the Bill—the machinery of the Act of 1875. My noble Friend (Lord Selborne) stated that the insurance could not be more than one farthing in the £; and, in reply, it was said that besides the insurance there was the question of office expenses, which would be enormous. I have a list here, which has been estimated, and in a great proportion of cases ascertained, of the office expenses of obtaining a possessory title. I entreat your Lordships to remember that this is a Bill for securing that possessory title shall be obtained. Indeed, I almost regret that other titles are mentioned in the Bill, because it gives people the notion that their title deeds will have to be brought under the consideration of the registrar. All that the Bill makes compulsory is that when ownership is changed a possessory title shall be obtained. That means nothing more than the registration of the Ordnance map, showing what land is in each case actually held. Well, this is the expense which it has been ascertained by experiment is imposed upon the landowner who comes into possession by succession or by transfer, and who is compelled to obtain a possessory title. If the value of the property is £2,400, £3 10s. would have to be paid to the office, and 14s. for the map. This is not theory, but practice; it has actually been done. If the estate were valued at £4,000, £4 would be paid to the office, and £2 4s. for the map. If the estate were valued at £27,000, £11 5s. would be paid to the office and £2 4s. for the map. If the estate were valued at £30,000, £12 would be paid to the office, and £1 6s. 6d. for the map. I am entitled, therefore, to say that this idea of vast expenditure involved by the necessity, on the change of ownership, whether by succession or transfer, of registering for the possessory title, is the most baseless legend ever devised. Then, I contend that these things ought to have been brought forward in the Committee. It is a great inconvenience in a debate when you have to turn first to one small detail and then to another, and never deal with the principle of the Bill as a whole. And why have we not had the advantage of discussing these objections where they ought to have been discussed, in Committee on the Bill? It appears that it is on account of the overflowing courtesy of the opponents of the Bill. Their courtesy was so irrepressible that it has burst from the pores of their skin at every step. They have said nothing of their objections to the Bill on the Second Reading through sheer courtesy; and when the Bill came out of the Select Committee through sheer courtesy they stayed their objections on the Report stage of the Bill. But this courtesy vanishes on the Third Reading, when they hope that by combining all these small objections they may gather together a sufficient number of objectors to destroy the principle of the Bill. I think that it is a very great misfortune that the House has not had the opportunity of examining in detail any Amendments which might be suggested, not only in the Select Committee, but by those outside the Select Committee who have studied the Bill. And I propose, if the Bill should pass, that we should defer the further proceedings for a week, in order that any Amendments which noble Lords have to any of the parts of the Bill may be put down and discussed in detail. That will enable us to deal with objections to detail where they ought to be dealt with—each on each detail, and not sentence the whole principle of the Bill to extinction because a particular detail is objected to. My Lords, I

would earnestly press on the House that it is undertaking a very serious responsibility to negative the whole principle of the Bill. The object of the Bill is to make cheaper the transfer of land, to remove the greatest cause of expense which now exists in reference to the transfer of land. My noble Friend (Earl Beauchamp) made an observation, if I caught it rightly, that the business of the law is to provide not for the sale of land, but for the enjoyment of land. That is a very pleasant doctrine to those who are enjoying land; but I am not sure that it is equally pleasant for those who wish to enjoy it.

EARL BEAUCHAMP: I said the peaceable enjoyment of land.

*THE MARQUESS OF SALISBURY: "The peaceable enjoyment"—I suppose that is undisturbed by any buyer. I agree that there are large estates that have been held in the same families for a considerable length of time, and which are not likely to be changed. But there is in this country an enormous amount of land which is subject to the ordinary operation of purchase and sale, the value of which is depressed if you load its sale and purchase with undue expenses, and the value of which will be raised if you make that operation cheaper. I am speaking now principally of towns; and when you consider all the advantages to trade, to health, to the happiness of the people, of making all the operations which owners wish to perform with respect to their lands cheap and easy, I am sure your Lordships will not assent to the noble Earl's view that the law has nothing to look to except providing for the peaceable enjoyment of land. If you reject this Bill on account of those accumulated small objections which ought to have been urged in Committee, and which may yet be urged at a future stage of the measure—if you reject the Bill, you say that as far as you are concerned, there shall be no cheapening of the transfer of land. I know that noble Lords say they are enthusiastic about cheapening the transfer of land, and that they would support it; but your action must be judged, not by your words, but by your deeds. In voting against the Bill at this stage you are voting against the essential principle of the Bill. That is undoubtedly the law and practice of Parliament, and no other interpretation whatever can be placed on the action you take. And just consider the grave inconveniences of that result. To us it will be a very great disappointment. We have, from the first period of our political existence, put forward the desire to cheapen the process of transferring land as a matter to which we attached the greatest importance. I remember four years ago urging it very strongly. The Bill of my noble and learned Friend was prepared, and I think it was introduced, though I am not quite certain, four years ago. At all events, it was introduced very shortly afterwards; and, of course, by a decision given against the principle of the Bill on the Third Reading you practically say that this Government shall not introduce a Land Transfer Bill to the House of Lords again. My noble Friend behind me dwelt much upon the freedom of the House of Lords from any controlling authority, and upon the absence of any necessity on their part to defer to the opinions of any constituency. I quite admit the position of power which that gives you in respect to a Bill of this kind. If we were defeated on a Bill of this kind in the other House there would be a remedy open. There is no remedy if we are defeated here. But with great power comes great responsibility. We are presenting to you a measure which we believe will conduce largely to the happiness of the people of this country, and largely also to the prosperity of the owners of land—which we believe will remove one of the greatest causes of odium from our present landed system, the one that most threatens its existence. We earnestly ask you not to take from us the power of carrying this beneficial reform into law, and not to place on this House the ominous responsibility of standing between the people of England and this great advantage.

THE DUKE OF MARLBOROUGH: Although the hour is so late I would ask your Lordships' permission to say a few words not upon the details of the Bill, but merely to register a protest on the part of those who, while approving of the principle of land transfer, absolutely and totally object to having this Bill forced down our throats. The noble Marquess, as I understand him, described the opposition which has been raised to this Bill as a factious opposition.

*THE MARQUESS OF SALISBURY: I never used such an epithet.

THE DUKE OF MARLBOROUGH: The noble Marquess said that the objections which have been brought forward might have been advanced on the Committee stage, and that it is extremely difficult to answer piecemeal objections on the Third Reading. Well, this measure has been objected to on many grounds by persons who are perfectly prepared to accept Land Transfer on reasonable principles; but we are not prepared to accept this Land Transfer Bill of the Lord Chancellor, which leaves the whole working of the measure and all the patronage under it in his own hands, and which leaves the whole thing in entire and total chaos. I am not going to occupy the time of your Lordships; but I may say that in 1885 I brought in a Bill embodying the whole principle of land transfer, and I took the trouble, so far as my abilities allowed me, to put the matter before your Lordships in very great detail. The noble Marquess also was kind enough to take notice of it, and before we go to a Division, after the impressive words which he has delivered on the grave importance of this House putting aside this measure, I must take leave to read the remarks which the noble Marquess himself made on the subject of land transfer generally. The noble Marquess on that occasion said—

"It appears that the noble and learned Lord opposite (Lord Selborne) and all who have taken part in this discussion go upon the theory, which is very common in this country, that there is something in the law in this country as it is practised which makes it specially difficult and expensive to transfer small properties from one person to another; and there is a belief that by something we can do in this building we may alter the state of things altogether. Now, I wish to say—and each man must contribute his own experience—that I have a very great scepticism on that subject, and I found my scepticism on the fact that I have myself dealt in a small way with small properties in England and in France. In France the almost fixed charge for conveying land is 12 per cent on the purchase money. In this country the charge varies enormously; but, according to my experience, it does not exceed, as a rule, 4 or 5 per cent."

Now, as we are going to a Division, I think it is of importance to those who oppose this Bill that we should have the full benefit of the views of the noble Marquess, not only as expressed on the present occasion, but as expressed on the very minor and unimportant occasion when I ventured to lay my Bill on land transfer on the Table of this House.

On Question whether the word "now" stand part of the Question, their Lordships divided.

Contents, 113; Not Contents 104;

Resolved in the affirmative.

Bill read 3ª accordingly, and to be further proceeded with on Thursday, the 4th of July.

House adjourned at ten minutes to Eight o'clock till Thursday, a quarter past Ten o'clock.

HOUSE OF COMMONS,

Tuesday, 25th June, 1889.

STATE COLONIZATION.

Ordered, Address for copies of any further correspondence from or to Governments of Colonies on the subject of State Colonization.—(*Mr. Kimber.*)

GOVERNMENT DEPARTMENTS (TRANSFER OF POWERS) PROVISIONAL ORDER BILL.

Order for Second Reading read.

Question, "That the Bill be now read a second time," put, and agreed to.

THE SECRETARY TO THE LOCAL GOVERNMENT BOARD (Mr. LONG, Wiltshire, Devizes) moved—

"That the Bill be committed to a Select Committee to consist of Nine Members, Five to be nominated by the House, and Four by the Committee of Selection.

That the Committee have power to send for persons, papers, and records.

That Five be the quorum of the Committee."

MR. STEPHENS (Middlesex, Hornsey): I would ask the Secretary to the Local Government Board whether the date for the Bill to come into operation should not be deferred? The powers proposed to be transferred to the County Councils are very large indeed, and certainly require special machinery. I have been requested by the County Council of Middlesex to make this suggestion.

They are not at all afraid of taking over the powers transferred to them under the Bill; but at present they have no machinery which would enable them to discharge the duties which would devolve upon them, duties which have hitherto been discharged by the Board of Trade in reference to gas, water, and tramway powers. It is obvious that a great deal of inquiry must be made before consent can be given in regard to matters affecting capital and many other technical questions of the highest importance. At present they feel that they are not in a position to discharge these duties properly. I think that my request is a reasonable one, and I beg to add that the feeling of the Parliamentary Committee of the Middlesex County Council is quite unanimous upon the matter.

MR. LONG: I have no objection to the proposal of my hon. Friend; but this is not the time when any alteration in the provisions of the Bill can be made. It will have to be made by the Committee before whom the Bill will have to go. So far as the Government are concerned, they are prepared to alter the date from the 1st of September until the 1st of April.

MR. JAMES STUART (Shoreditch, Hoxton): I have to move—

"That the Order for Committee be read and discharged.

That the Bill be committed to a Select Committee of Seven Members, Four to be nominated by the House, and Three by the Committee of Selection.

That the Committee have power to send for persons, papers, and records.

That three be the quorum."

The object of my Motion is to refer the Bill to a Hybrid Committee. The Bill affects a borough with which I am concerned—the borough of Cambridge. The Provisional Order, No. 15, of the Local Government Board refers to the boroughs of Banbury and Cambridge. The Bill itself is an excellent and an exceedingly useful Bill. The 52nd clause of the Local Government Act of 1888 provides for the re-constitution of the Governing Body of the town of Cambridge, and for the introduction into that body of members representing the University. The fact is that the Colleges of the University are now treated as a ward in the borough. The provisions of the Bill, as far as they go, meet with general approval, both in the town and at the University. I do not, therefore, oppose the Bill; but I desire to lay before the House some reasons for inducing it to extend, somewhat, the provisions about to be adopted. For some time there has existed in Cambridge a considerable and growing inequality in the ward representation, and this appears to me to be a suitable opportunity for altering that inequality. Two of the wards contain a population estimated at 21,187, and a rateable value of £88,180.

*MR. SPEAKER: If the Motion is opposed, it must, according to the usual rule, stand over.

MR. JAMES STUART: Then I would move that it stand over until to-morrow.

*MR. SPEAKER: I was not aware until this moment that the Motion of the hon. Member was an opposed Motion.

*THE PRESIDENT OF THE LOCAL GOVERNMENT BOARD (Mr. RITCHIE, Tower Hamlets, St. George's): I do not know whether the hon. Gentleman will persist in making the Motion. I think it is possible that I may make an explanation which will render such a course unnecessary.

MR. JAMES STUART: The Bill had better stand over.

Motion ordered to stand over until Wednesday.

A POINT OF ORDER.

MR. J. STEVENSON (South Shields) presented a Petition from General Booth, Mrs. Booth, and other officials of the Salvation Army and other persons, numbering 456,500, stating that they had heard with satisfaction that the Bill for Closing Public Houses on Sunday was now before the House, and praying the House to pass the measure before the close of the present Session.

*ADMIRAL FIELD (Sussex, Eastbourne): I rise to order. I wish to ask your ruling, Sir, on a matter of some importance. I wish to ask whether the hon. Gentleman who has presented the Petition can be said to have complied with the Standing Order of the House, which requires that he should have read the document and satisfied himself that it is not printed, and that it concludes with a prayer, and acquainted himself with the genuineness of the signatures

attached to the Petition which, I am told, is three miles long?

*MR. SPEAKER: This is not the proper place for entering into that matter, which will come before the proper tribunal—namely, the Select Committee on Petitions.

Ordered, that the Petition do lie upon the Table.

QUESTIONS.

—o—

FEVER IN THE DUBLIN BARRACKS.

GENERAL FRASER (Lambeth, N): I beg to ask the Secretary of State for War whether it is the case that an officer seized with typhoid fever in Dublin Barracks, who might be unable to incur the large attendant expense on his removal to a civil hospital, would have to remain in his quarters, where he possibly contracted the disease; how many officers are at present being treated for enteric fever in civil hospitals in Dublin, and to what weekly expense are they put; and, if the Government is unable to appropriate accommodation for these cases, as is done for the men, whether it would defray the expense, making the authorised deduction of 2s. 6d. from the officer's pay?

*THE SECRETARY OF STATE FOR WAR (Mr. E. STANHOPE, Lincolnshire, Horncastle): Officers are not entitled to treatment in military hospitals unless suffering from wounds received in action or from illness contracted on service with an army in the field, and then the only stations available at home are Netley and Woolwich. A Medical Board may, however, recommend the admission of officers otherwise sick to these hospitals, in which case they are subject to the regulated stoppage. By the latest return three officers in Dublin were on the sick list with enteric fever. They were all in private hospitals. Nothing is known officially as to the expense of their treatment.

THE TROOPS IN NATAL AND ZULULAND.

MR. PHILIPPS (Lanarkshire, Mid): I beg to ask the Secretary of State for War whether it is true that all leave outside their own district has been for a long time past refused to the troops stationed in Natal and Zululand; what is the reason of this restriction; and when is it to be ended?

*MR. STANHOPE: Long leave only has been stopped, locally, for military reasons. Probably the restriction will continue as long as the troops continue to occupy their present advanced positions.

IRELAND—WORKHOUSE OFFICIALS—MR. THOMAS MADDEN.

MR. BIGGAR (Cavan, W.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland if the attention of the Local Government Board has been drawn to the fact that the Belfast Board of Guardians, in the year 1888, sanctioned leave of absence from duty, for 15 weeks, to Mr. Thomas Madden, assistant schoolmaster in the Belfast Workhouse, for the purpose of attending a course of divinity lectures in Trinity College, Dublin, and graduating for the Church of Ireland ministry; is there any precedent for such extended leave to an official in good health in any other Irish workhouse; was his salary paid, although absent, and has he resumed his duties; is he aware that Mr. Madden was convicted of drunkenness before the magistrates, on or about 26th December, 1888; were any of the convicting Justices Guardians of the Belfast Union; did the solicitor for the Guardians (Mr. Harper) defend Madden; and, if so, was his fee paid by the Board; and, did Mr. Madden bear a good character previously, and will his services be continued?

THE CHIEF SECRETARY FOR IRELAND (Mr. A. J. BALFOUR, Manchester, E): It appears that Mr. Madden, assistant schoolmaster of the workhouse, obtained leave of absence from the Guardians from the 11th of October, 1887, to the 26th of February, 1888, for the purpose stated in the first paragraph of the question. Extended leave has been given to school teachers in other unions to enable them to attend a course of educational training at the training colleges in Dublin. Mr. Madden states that he was successful at the examination. His salary was paid to him during his absence, but he provided a properly qualified substitute. He resumed duty, the clerk reports, on the 26th February, 1888. Mr. Madden informed the clerk that he was convicted of drunkenness on the 26th of

December, 1888, but that he did not appear in Court. None of the convicting Justices were, according to the clerk's statement, members of the Board of Guardians. Mr. Harper did defend Mr. Madden, but not in his capacity as solicitor to the Guardians, Mr. Madden having paid his costs. Since his appointment in 1880 no charge had been recorded against Mr. Madden in their department which called for action on the part of the Local Government Board. The Local Government Board are now inquiring whether there has been anything connected with the conviction in December, 1888, and in Mr. Madden's general conduct since calling for the discontinuance of his services.

THE INVENTOR OF POSTAL ORDERS.

SIR STAFFORD NORTHCOTE (Exeter): I beg to ask the Postmaster General if his attention has been called to an article in the *Western Morning News* of 12th June, entitled "Who invented Postal Orders;" if the statements contained in that article are correct; or, if their accuracy is disputed, will he lay upon the Table of the House the correspondence in his possession relating to Mr. W. Cotton's claim to be regarded as the inventor of postal orders; and, if the circumstances are substantially as stated in the *Western Morning News*, will Her Majesty's Government be prepared to take some steps to mark their appreciation of the value of Mr. Cotton's suggestion?

*THE POSTMASTER GENERAL (Mr. RAIKES, University of Cambridge): In reply to my hon. Friend, I have to state that I have seen the article to which he refers. Mr. Cotton has, no doubt, taken intelligent interest in the subject of the transmission of small sums through the post, and the Department has received many interesting communications from him. Although his representations have been very carefully considered, my Predecessors appear to have purposely refrained from pronouncing an opinion as to who, amongst numerous claimants, is entitled to be regarded as the inventor of the Postal Order. I do not see how, after the lapse of so many years, I can be in so good a position as they were to decide the question, which I hope my hon. Friend will forgive me for saying does not appear to me to be of transcendent importance, as the invention, though doubtless useful, involved no particular scientific attainment; and I do not think any advantage would be gained by laying on the Table of the House the correspondence alluded to, which is somewhat voluminous.

SIR S. NORTHCOTE: In consequence of the answer of the right hon. Gentleman, I beg to give Notice that I will, on a future day, call attention to the subject.

IRELAND—FORCIBLE ENTRY.

MR. JOHN ELLIS (Nottinghamshire, Rushcliffe): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether, on Wednesday, 12th June, District Inspector Ewart visited the Imperial Hotel, Youghal, and ordered the constables with him to force open the door of the bedroom occupied by Mr. Macaulay of the *Bradford Observer*, the door being by them forced open accordingly; whether District Inspector Ewart refused to allow Mr. Macaulay to read the document or warrant in virtue of which he claimed to make this forcible entry; what was the object for which it was made; and, have these proceedings the sanction of the Government?

MR. A. J. BALFOUR: The Constabulary Authorities report that the local police had reason to believe that a man for whose arrest they had a warrant, was concealed in the hotel. On production of the warrant, the proprietor of the hotel gave the police every facility in making the search; but Mr. Macaulay refused to allow the door of his room to be unlocked, and it therefore became necessary to forcibly open it. District Inspector Ewart did not refuse to allow Mr. Macaulay to read the warrant. Mr. Macaulay was not present when the door was forcibly opened. He subsequently came up, but did not ask for the production of the warrant. The District Inspector was not acting under any special sanction of the Government, but necessarily broke in the door for the purpose of arresting an offender whom he believed to be concealed there.

MR. J. ELLIS: Was the statement which the right hon. Gentleman has read supplied by District Inspector Ewart himself?

MR. A. J. BALFOUR: It came from the Constabulary Office; but I should

imagine that it was supplied by District Inspector Ewart.

SAVING LIFE AT SEA.

MR. HOWARD VINCENT: I beg to ask the President of the Board of Trade if the new Rules under the Saving Life at Sea Act have yet been issued; and, if not, when they may be expected?

THE PRESIDENT OF THE BOARD OF TRADE (Sir M. HICKS BEACH, Bristol, W.): The Rules referred to by the hon. Member have not yet been issued; but I understand that the Life Saving Appliances Committee have completed their Report, and as soon as I receive it I will lay it upon the Table of the House.

INDIA—THE GIRL LUCHMIN OF PATNA.

MR. JAMES STUART: I beg to ask the Under Secretary of State for India whether his attention has been called to the affidavits purporting to be made before Edwin R. Smetham, Notary Public in Bombay, by the uncle and mother of the girl Luchmin of Patna, who was, against her will and under painful circumstances, restored by the Judge to a man Radakissen on the ground that he was her husband, whose case has been already mentioned in this House, in which affidavits the mother says—

"When I went to the Magistrate's Court at Patna about my daughter Luchmin, who had gone to Miss Abraham's house, I did not give true evidence, because I was afraid to do so. Radakissen had threatened to beat and kill both me and Gurmukh Naram, my late husband's brother. . . Being now away from Patna, and able to speak in safety, I now wish to tell the truth as follows: Luchmin was never married to Radakissen. . . . My daughter is very unhappy at Radakissen's house, and cries much. Radakissen is a big strong man, and there is a prostitute living with him."

And whether he will direct further inquiry into the matter?

THE UNDER SECRETARY OF STATE FOR INDIA (Sir J. GORST, Chatham): The attention of the Secretary of State has been called to the affidavits. The case has been disposed of in the regular manner by the Courts in India. If any fresh evidence upon which reliance can be placed is brought to light, it should be submitted to those Courts.

MR. JAMES STUART: Has the question whether perjury was not committed during the trial been considered, and do the India Office intend to take any further action in the matter?

SIR J. GORST: Neither I nor my noble Friend the Secretary of State can sit as a Court of Review. We are not an Indian tribunal.

MR. JAMES STUART: Will no step be taken to lay the matter, in any sense, before the Government of India?

SIR J. GORST: No, Sir.

THE HYDERABAD (DECCAN) COMPANY.

MR. JAMES STUART: I beg to ask the Under Secretary of State for India whether his attention has been called to a paragraph in the *Times* of the 17th instant, entitled, "The Nizam's Government and the Hyderabad (Deccan) Company," in the following terms:—

"We understand that the arrangement concluded between the Nizam's Government and the concessionaires of the Hyderabad (Deccan) Company which has been passed by the Viceroy and his Council, and was described in the *Times* of the 7th instant, still awaits the final sanction and approval of the Secretary of State in Council, who is considering the question in all its bearings."

And, whether, under the circumstances, and having regard to the evidence before the Select Committee last year, the Secretary of State for India intends to take on himself the responsibility of reviewing or suggesting any alterations in an arrangement which has been concluded by the Nizam's Government, and passed by the Viceroy of India and his Council?

SIR J. GORST: The attention of the Secretary of State has been called by the hon. Member's question to the statement in the *Times*. The second paragraph of the question appears to describe correctly the function of the Secretary of State in the matter, which he is of course prepared to fulfil.

THE LAND COMMISSION.

MR. M'CARTAN (Down, S.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he has received a copy of resolutions adopted at a meeting of tenant farmers held in Downpatrick on the 19th instant, expressing indignation and alarm at the decisions given by the Chief Land Commission in cases of appeal heard there on the previous day; whether he is aware

that substantial increases of rent were made in a large number of cases where the landlords had appealed, but that in every instance where the appeal was made by the tenant, the Land Commission confirmed the rents; whether in any case of appeal the Chief Commission at Downpatrick made any alteration in the rent except to increase it; whether all these appeals were decided after any inspection of the farms by the Chief Commission, or by any court valuer on their behalf; and, whether, considering the want of confidence in the Land Commission, expressed in the resolutions referred to, he will take steps to add to the Commission some person having the confidence of the farmers?

MR. A. J. BALFOUR: I have seen a newspaper cutting containing resolutions of the kind referred to in the first paragraph of the question; but I have received no Report as yet on the subject from the Land Commission. As regards the last paragraph, I do not think that the fact that a decision has been given adverse to one of the litigants in the case, and that the litigant objects, is necessarily a ground for withdrawing confidence from the tribunal, or for modifying its constitution.

ROYAL ARTILLERY COLONELS.

COLONEL HAMILTON (Southwark, Rotherhithe): I beg to ask the Secretary of State for War whether any steps have been taken to re-assess the amount of compensation granted to those Regimental Colonels of the Royal Artillery who have been compulsorily retired on account of age, having regard to the several representations made by these officers, and the fact that the awards of the sums already granted have been received under protest?

*MR. E. STANHOPE: Yes, Sir. The awards made to these officers have in all cases been re-assessed, on the basis that the emoluments of a regimental colonel of Artillery during his later years in the rank were higher than those he received when first promoted to it.

RUSSIAN OCCUPATION OF DEER ISLAND.

MR. HANBURY (Preston): I beg to ask the Under Secretary of State for Foreign Affairs whether the Foreign Office has any information of the occupation by Russia of a new coaling station and Naval depôt in the North Pacific at Deer Island?

*THE UNDER SECRETARY OF STATE FOR FOREIGN AFFAIRS (Sir J. FERGUSSON, Manchester, N.E.): No Report of such an occupation has reached Her Majesty's Government.

BRITISH OFFICERS IN BURMAH—ALLEGED MISUSE OF JUDICIAL AND EXECUTIVE POWERS.

MR. BRADLAUGH (Northampton): I beg to ask the Under Secretary of State for India whether he is aware that charges of alleged misuse of judicial and executive powers by British officers in Burmah have been published in many leading newspapers in India, and that Anglo-Indian papers as well as Indian papers join in asking the Government of India to make inquiries into such allegations; whether his attention has been called to the statement of the *Times* correspondent on Monday that incalculable mischief has been done by the feeling of despair and exasperation engendered amongst the people by the small villages being broken up, and that a general feeling of insecurity has been produced by apparently inoffensive people being transferred to distant and unhealthy districts on the ground of their alleged relationship to dacoits; and, whether it is the intention of the Secretary of State for India to make any inquiry into such grave charges made on the responsibility of the *Times*?

SIR J. GORST: The question is substantially the same as that put by the hon. Member on the 20th instant, to which the attention of the Government of India has already been called.

THE LABOURERS (IRELAND) ACT.

MR. TUITE (Westmeath, N.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether, having regard to the fact that "The Labourers (Ireland) Act, 1883," will expire at the end of the present Session, it is the intention of the Government to continue the same by including it in the Expiring Laws Continuance Bill?

MR. A J. BALFOUR: It is the intention of the Government to continue that Act by including it in the Expiring Laws Continuance Bill of this year.

THE MERCHANT SHIPPING LAWS.

MR. BROADHURST: I beg to ask the President of the Board of Trade whether it is true that the labour master of the Liverpool Workhouse shipped a number of pauper lads on board the *Adriatic* to act as firemen; whether it is an offence against the Merchant Shipping Laws to ship as seamen men who have never previously served any time on board a ship; and whether he proposes to take any action in the matter?

SIR M. H. BEACH: It has been stated, but I am not yet aware whether the statement is true, that paupers were shipped on the vessel referred to to act as firemen. An emigrant passenger ship must, according to law, be manned with an efficient crew to the satisfaction of the emigration officer before that officer grants a clearance enabling her to proceed to sea. I have already taken steps for instituting full inquiry into the subject.

VENEZUELA.

MR. WATT (Glasgow, Camlachie): I beg to ask the Under Secretary of State for Foreign Affairs whether the Government have received any information as to the reported resignation of General Guzman Blenco of his appointment as Minister Plenipotentiary and Fiscal Agent to the Courts of Europe; whether Dr. Parójo has been appointed in his room; whether they have now received any information as to the number of the killed and wounded during the riots at La Guayra; and whether it is a fact that these casualties resulted through the troops having been called upon to defend the British residents against the violence of the mob?

*SIR J. FERGUSSON: We have had no official information of an intention on the part of General Guzman Blanco to resign, though we are aware that it has been rumoured. No information whatever has reached the Foreign Office of the nature indicated in the rest of the hon. Member's question.

THE ROYAL NIGER COMPANY.

MR. PICTON (Leicester): I beg to ask the Under Secretary of State for Foreign Affairs whether it is true, as stated in the *Financial News* of the 19th inst., in a quotation from a circular said to have been sent out by the directors to the shareholders of the Royal Niger Company, that the Government has recognized £250,000 as the sum expended by the Company in obtaining for Great Britain the Protectorate of the Niger Territories, and has given its formal assent to the levying of duties (in excess of those required for current administrative expenses) to the extent of £12,500 per annum, being interest at the rate of 5 per cent per annum on such £250,000; if so, whether the Government caused inquiry to be made into the items of this alleged expenditure; whether satisfactory proof was given that this sum had been spent within the territory; and, if so, whether an account of it can be laid upon the Table; whether the assumption of a Protectorate, as distinct from annexation, involves the right of levying duties, and the power of conferring that right on others within the Niger district; and when the Report of the Commissioner sent out to inquire into the state of the district may be expected?

*SIR J. FERGUSSON: In answer to paragraphs 1 and 2 of the hon. Member's question, the Government has recognized the sum named as having been so expended, and has given its assent to the levying of duties to the stated amount as interest on the capital. The recognition was given after a searching investigation had been made by the Crown Agents of the Colonies, who were selected as being absolutely impartial, and who certified that the expenditure was proved. The private accounts of the Commission which were examined cannot be laid on the Table. With regard to Paragraph 3, the assumption of a Protectorate does involve the right and powers specified. With regard to Paragraph 4, the Commissioner has made a preliminary Report with reference to the Oil River region and returns this week to complete his work. He could not ascend the Niger before July. It is impossible to say when his work will be finished.

MR. PICTON: Can the right hon. Gentleman give the House any information as to the mode in which the money has been spent? Was it spent within the territory, and upon what objects?

*SIR J. FERGUSSON: It has been shown that the money was spent by the company in making preparations for trade and the government of the country.

The sums, in the opinion of Her Majesty's Government, were legitimately laid out for that purpose, and the company are consequently entitled to reap some advantage from the expenditure.

MR. PICTON: Is it true that the Company have been allowed to charge duties for the purpose of paying dividends to shareholders?

*SIR J. FERGUSSON: No, Sir; quite the reverse. They are entitled to charge duties for the purpose of administration.

MR. CONYBEARE: What steps did the Government take to ascertain whether the sum spent has been legitimately laid out?

*SIR J. FERGUSSON: I have already answered that question.

HALIFAX AND BERMUDAS CABLE COMPANY.

DR. CAMERON (Glasgow, College): I beg to ask the Secretary to the Treasury whether the deposit of £15,000 provided under Article 15 of the Submarine Telegraph Contract (Halifax and Bermuda) to be made to the Paymaster General within one month of the approval of that Contract by this House has been made by the Halifax and Bermudas Cable Company, Limited; and, if so, on what date?

MR. JACKSON: Yes, Sir; the money was received on the 7th of June, and has been invested in the name of the Paymaster General.

ARMY CONTRACTS—THE CHILWORTH COMPANY.

COLONEL EYRE (Lincolnshire, Gainsborough): I beg to ask the Secretary of State for War whether his attention has been called to a letter in the *Standard* of 22nd June, stating that during the months of January, February, and March of this year, the Government were receiving from the Chilworth Company considerable quantities of a gunpowder known as R. L. G. 4, said to be manufactured in Germany; and, whether the Chilworth Company are still supplying the Government with the same powder?

*MR. E. STANHOPE: As the case is about to be reheard before the magistrates, I shall feel obliged if my hon. and gallant Friend will repeat his question at a later date—say in a fortnight's time.

SCHOOL INSPECTORS IN BENGAL.

SIR ROPER LETHBRIDGE (Kensington, N.): I beg to ask the Under Secretary of State for India whether he is aware of the fact that Babu Radhika Prasanna Mukharji and Babu Brahmo Mohan Mallik, formerly Deputy Inspectors of Schools in Bengal, having been promoted to be Inspectors of Schools, on the ground of long and eminent service, have suffered a considerable pecuniary loss, instead of deriving any advantage, from their promotion; whether this is due to the operation of the rule by which a native officer is only allowed to draw two-thirds of the pay that would be drawn by an English officer doing the same duty; and whether any steps will be taken to exempt the Education Department from the operation of this rule?

*SIR J. GORST: The information in the possession of the Secretary of State does not corroborate the assertion of the hon. Member that the rule referred to operated in the case of the two officers in the manner described. But the rule in question will be dealt with in connection with the changes in the Public Service in India now under consideration.

SIR R. LETHBRIDGE: Arising out of that answer, I should like to ask the hon. Gentleman if we are to understand that the Government will see that the gentlemen named in the question have not and will not suffer pecuniary loss from their promotion, and whether any return has been made to the India Office upon the subject?

*SIR J. GORST: I must ask the hon. Gentleman to give me notice of the latter part of the question.

GOVERNMENT GAS STOKERS.

MR. CUNINGHAME GRAHAM (Lanarkshire, N.W.): I beg to ask the Secretary of State for War if he is aware that the Gas Companies have conceded the eight-hours day to their men, and that no reduction of wages has ensued; and, whether he can see his way to place the Government gas stokers in an equally favourable position?

*MR. E. STANHOPE: No, Sir; I am not aware that such a concession has been generally made.

MR. CONYBEARE (Cornwall, Camborne): After having ascertained that it has been granted, will the right hon.

Gentleman place the Government gas stokers in as favourable a position?

*MR. STANHOPE: I cannot give that promise in a hypothetical case. When I learn the facts I will give them full consideration.

DEVONPORT AND KEYHAM DOCKYARDS—DISCHARGES OF WORKMEN.

MR. CONYBEARE: I beg to ask the First Lord of the Admiralty whether it is the fact that further discharges of smiths and other workmen from the Devonport and Keyham Dockyards are ordered; over how man weeks will these discharges be spread, and how many men will be discharged; whether, inasmuch as there is plenty of work going forward in the Dockyards, and the shipbuilding programme laid down for the year in the particular establishment affected by these discharges is considerably in arrear, there is any other reason for such discharges than the rule that the weekly expenditure must not be exceeded; and whether he can devise some alteration of the rules which should obviate the waste, and save the men the hardship of being constantly discharged, when in fact there is work for them to do?

*THE FIRST LORD OF THE ADMIRALTY (Lord G. HAMILTON, Middlesex, Ealing): A further discharge of Smiths (20) is ordered. These men will be discharged on Saturday next. The reason for these discharges is not on account of an excess on the weekly expenditure, but because there is not sufficient Smith's work on which to employ these men profitably; and a further reason is the adjustment of Trades, fewer Blacksmiths being required, but more labourers. I see no means of altering the rules to secure the constant employment of any particular class, consistent with the economical administration of the Dockyards.

MR. CONYBEARE: Is it a fact that of the 19 or 20 men about to be discharged, 17 are men who served their apprenticeship in these Yards and are first-class workmen? I will further ask, whether the discharge of workmen under these circumstances does not amount to this—that the special training and education the men have received at the expense of the ratepayers will, in future, be utilized not for the benefit of the nation but of private persons?

*LORD G. HAMILTON: Whether they served their apprenticeship in the Dockyards does not affect the matter. If they cannot be profitably employed there is no use in employing them.

IRELAND—HARBOUR ACCOMMODATION AT NEWCASTLE, COUNTY DOWN.

MR. M'CARTAN: I beg to ask the Secretary to the Treasury whether he has received a memorial from Newcastle, county Down, with reference to the necessity for harbour accommodation there; and whether the prayer of the Memorialists will be favourably considered?

MR. JACKSON: I have received the Memorial referred to by the hon. Gentleman, and an answer will shortly be sent to the Memorialists.

PROCEEDINGS AGAINST IRISH MEMBERS.

MR. SEXTON (Belfast, W.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether warrants have been issued, or applied for, at the instance of the Irish Executive, against the Member for South Louth (Mr. Gill) for a public speech delivered to his constituents during the Whitsuntide Recess, and against the Member for East Clare (Mr. Cox), for a public speech delivered on the same occasion?

MR. A. J. BALFOUR: Warrants have been issued against the hon. Members referred to in connection with speeches they are alleged to have made in furtherance of the Plan of Campaign on the Massereene Estate.

GOLD AND SILVER ASSAYING AND HALL MARKING IN EUROPEAN COUNTRIES.

MR. KIMBER (Wandsworth): I beg to ask the President of the Board of Trade whether, in the interests of British industry in, and exports of gold and silver plate, Her Majesty's Government will, prior to the Session of 1890, obtain full information relating to the practice of assaying and hall-marking of gold and silver wares in Denmark, Sweden and Norway, Russia, Germany, Holland, Belgium, Austria, Italy, France, Switzerland, Spain, and Portugal, including the laws and regulations relating to the exposure for sale of Foreign manufactured plate in those countries respectively, and the Customs duty pay-

able upon imported plate; and, if such information is already in possession of any Department of the Government, whether he will be good enough to lay the same upon the Table of the House?

SIR M. HICKS BEACH: If the hon. Member will specify more particularly the exact information he desires, I will communicate with the Foreign Office with a view of endeavouring to obtain it.

TEA IN BOND.

MR. KIMBER: I beg to ask the Secretary to the Treasury, with reference to the desire of London wharfingers to be allowed to blend tea in bond for home consumption, which the Treasury have declined to sanction on the ground of the large increase or cost of superintendence involved, whether the Treasury have since received an intimation that merchants are quite prepared to pay any fair sum to cover the cost of any extra work thrown on the Customs; and, if so, whether such an offer would alter the conclusions of the Treasury?

MR. JACKSON: The question has been under the consideration of the Treasury; but it is attended with some difficulties which appear to be insurmountable. I shall be glad if the hon. Member will repeat the question on Thursday week. I hope then to be in a position to give a complete answer.

WESTMINSTER HALL.

SIR JOHN PULESTON (Devonport): I beg to ask to the First Commissioner of Works whether he can now remove the restriction which precludes visitors passing through Westminster Hall so far as to permit them to pass through when accompanied by Members?

THE FIRST COMMISSIONER OF WORKS (Mr. PLUNKET, University of Dublin): I am glad to be able to say that a new regulation has been approved of by the Secretary of State, to the effect that Members of both Houses of Parliament, officials of both Houses of Parliament, and the friends of Members of Parliament, when personally accompanied by such Members, will be allowed to pass through Westminster Hall, either from New Palace Yard or from St. Stephen's entrance.

PUBLIC WORKS IN IRELAND.

MR. JOHN ELLIS: I beg to ask the Secretary to the Treasury what are the following sums relating to the 12 months ending 31st March, 1889, in the Department of Public Works, Ireland; advanced, repaid principal, repaid interest, remitted; and, when the Report of the Commissioners for the year will be in the hands of Members?

THE SECRETARY TO THE TREASURY (Mr. JACKSON, Leeds, N.): In respect of Local Loans Fund and Church Fund Loans the amount for the year ended March 31st, 1889, were as follows:—Sums advanced, £557,021 13s. 6d.; principal repaid, £516,562 4s. 11d.; interest paid, £252,986 9s. 6d.; remitted, or rather written off from the account of assets of the Local Loans Fund, but not forgiven to the borrowers, £31,299 2s. 9d. The Report of the Commissioners of Public Works will, I hope, be circulated in about three weeks.

PUBLIC TRUSTEE AND EXECUTOR.

MR. HOWARD VINCENT (Sheffield, Central): I beg to ask the Chancellor of the Exchequer when the promised Government Bill for the creation of a Public Trustee and Executor will be introduced?

THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN, St. George's, Hanover Square): It is true that the Government have promised to introduce such a Bill, and it is their intention to deal with the matter if possible. The Lord Chancellor and I have had the subject under consideration, and we find it involves more controversial matter than appeared at first. If it is a subject that can be satisfactorily adjusted, there will be some prospect of our being able to introduce such a Bill; but I am not able to make a more definite declaration at present.

THE NAVAL REVIEW.

SIR JOHN PULESTON: I beg to ask the First Lord of the Admiralty whether any facilities are to be given Members of this House who may desire to attend the forthcoming Naval Demonstration?

LORD G. HAMILTON: The same accommodation will be given to hon. Members as in 1887.

SIR J. PULESTON: How is the wish to be formally expressed? I am

sure that it is the wish of hon. Members.

ADMIRAL FIELD: Will the noble Lord, with the permission of the Speaker, allow a book to be placed outside in which hon. Members may insert their names?

LORD G. HAMILTON: I do not think that will be necessary. I will do everything in my power to comply with the wishes of hon. Members.

TEACHERS IN ELEMENTARY SCHOOLS.

MR. OCTAVIUS V. MORGAN (Battersea): I beg to ask the Vice President of the Committee of Council on Education if he will state the number of teachers in elementary schools who became such, as pupil teachers, students in training, or masters or mistresses under the Pension Minutes of 21st December 1846, and 6th August 1851, respectively; how many have become eligible for pensions under each of these Minutes, and have applied for them; and, how many have been refused, and, on what grounds so refused?

MR. KIMBER asked how many teachers who became such under the Minutes of December 21, 1846, were still engaged in elementary schools, and what provision was made, or intended to be made, for them as regarded pensions to induce them to relinquish work for which their great age disqualified them.

THE VICE PRESIDENT OF THE COMMITTEE OF COUNCIL (Sir W. HART DYKE, Kent, Dartford): I am unable to state the number of these teachers; but with regard to the limited class who became so between 1846 and 1851, I have promised to grant a Return showing the number who have applied for pensions, and stating how many have been refused. The terms offered to them, I may add in reply to the next question, are set forth in Article 135 of the Code, and are not, as my hon. Friend is aware, fettered by any limitation as to the number of pensions that may be granted.

MR. GILLIAT (Clapham) asked the Vice President of the Committee of Council on Education whether his attention had been called to the application of Mr. Edmund Heller, who for a period of 34 years was engaged as principal teacher in various elementary schools and had fulfilled all the conditions of the Minutes of December 21, 1846; and, if so, whether he could state the grounds on which such application was refused?

SIR W. HART DYKE: This application was considered as long ago as November, 1884, when Mr. Heller was informed that three of the principal conditions required by Article 134 of the Code were not satisfied in his case. As a matter of fact, he had been employed as travelling agent to a publisher for some years preceding his application.

THE SOUDAN.

In answer to Mr. W. LOWTHER (Westmoreland, Appleby),

*SIR J. FERGUSSON said: Reports have been received of the advance of a considerable force of dervishes on Wady Halfa, and although such reports are always regarded with a certain amount of distrust, I believe that the Sirdar (Sir F. Grenfell) is about to go there himself. No British troops have been sent forward; but they are ready to go if required.

IRELAND—WARRANTS AGAINST MEMBERS OF THE HOUSE.

MR. CLANCY (Dublin County, N.) I wish to ask, with respect to the warrants for the arrest of the hon. Members for South Louth and East Clare, why the usual practice has been departed from by issuing a warrant instead of summons?

MR. A. J. BALFOUR: As the hon. Member is aware, a summons is not a legal document in this country. I much prefer proceeding by summons, only unfortunately I discovered that when that mode of procedure was adopted hon. Gentlemen have too often taken advantage of the circumstance to evade the summons, and have careered about the country pursued by the police.

MR. GILL (Louth, S.): I will ask the right hon. Gentleman if, on the last occasion I was proceeded against, I did not answer the summons and appear?

MR. A. J. BALFOUR: It is rather difficult to make a distinction between those hon. Members who did obey the summons and those who did not. I find that the Members for North-East Cork, East Clare, West Cork, South

Galway, and West Waterford all disobeyed summonses in 1887. I then reverted to warrants, and afterwards to the original and much more preferable system. The result has been that in 1889 the Members for North-East Cork and Mid Cork and Father M'Fadden disobeyed the summonses.

MR. CLANCY: Is it intended to execute these warrants in this country before the discussion on the Irish Estimates is completed?

MR. A. J. BALFOUR: The warrants were issued a few days ago.

MR. CLANCY: Will the right hon. Gentleman answer the question I have just asked—namely, whether the warrants will be executed in this country before the Irish Estimates have been discussed?

MR. A. J. BALFOUR: It does not rest with me to execute them. I see no reason why the execution should be deferred.

MR. CLANCY: Then I will put the question to the Home Secretary.

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. MATTHEWS, Birmingham, E.): I must ask for notice of the question.

MR. CLANCY: Certain warrants have been issued in Ireland for the arrest of certain Members in England, and I ask the Home Secretary whether it is his intention to authorize the execution of those warrants before the discussion of the Irish Estimates is concluded?

MR. MATTHEWS: I have not heard of the warrants from the police; but if the hon. Gentleman will look at the statutes on the subject, he will see they make no exception in regard to Estimates or otherwise.

MR. CLANCY: Will the right hon. Gentleman give a straightforward answer to my question?

MR. MATTHEWS: It is my distinct intention to carry out what is required by the law, and to execute any legal warrant that may come into my custody without the slightest reference to other considerations.

MR. CLANCY: Is not the right hon. Gentleman aware that the course I suggest was pursued last year?

No answer was given to the question.

FAIR RENTS.

MR. PINKERTON (Galway): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he is aware that a number of appeals from fair rents fixed by the County Antrim Sub-Commission at Larne in May 1885 were only listed for hearing at the last sitting of the Chief Commission in Belfast on 27th May 1889; whether he is aware that the revised list for that sitting contained 179 cases, and, notwithstanding that a considerable number had been settled, the Court concluded its sitting on reaching Appeal No. 108, thereby leaving upwards of 70 cases unheard, and that the farmers concerned in these unheard cases were put to great expense and inconvenience by having to attend with their witnesses for several days before they were told that their cases would not then be heard; whether arrangements will be made not to list a greater number of cases than the Commission can dispose of at a sitting; and when the Chief Commission will next sit in Belfast?

MR. A. J. BALFOUR: The Land Commissioners report that the appeal list alluded to contained 179 appeals, of which 38 were cross-appeals, reducing the number to 141. Of these 35 were in respect of cases in which the decisions of the Sub Commissions were delivered in 1885, but the list comprises all appeals from the county Antrim in respect of decisions by the Courts below up to the last day of April, 1888, and of the 70 cases which the Appeal Court was unable to hear during the week appointed for the sitting in Belfast, 10 only are in respect of decisions by the Court below delivered prior to the year 1888. In consequence of what occurred on the occasion referred to at Belfast, and at previous sittings, the Commissioners have recently had under consideration the question of revising their rules with regard to appeals, as they have experienced very great difficulty in settling their appeal lists, owing to the conduct of the appellants, some of whom lodge appeals without any *bonâ fide* intention of prosecuting, while others fail to notify to the Commissioners the settlement of cases in respect of which they have lodged appeals. A notice has been printed, and will shortly be issued by the Commissioners, stating conditions with which appellants will in future be required to comply, and which they anticipate will facilitate the hearing of appeals.

WELSH EDUCATION BILL.

In answer to Mr. THOMAS ELLIS (Merionethshire),

*MR. W. H. SMITH said: I have no doubt it will be in our power to furnish hon. Members with copies of the proposed Government Amendments in the course of to-morrow.

THE *SULTAN*.

ADMIRAL FIELD: May I ask whether, seeing that the evidence before the Court of Inquiry into the loss of the *Sultan* has been published, the Admiralty propose to give publicity to the Report by laying it on the Table of this House?

LORD G. HAMILTON: It has not been the practice hitherto to make public the proceedings of any Court of Inquiry; but the proceedings and finding of a Court Martial are published in the Press. In the present instance this Court of Inquiry investigated questions which should have formed part of the charges against Captain Rice, the captain of the *Sultan*, to be decided by the Court Martial held upon the stranding of that ship. Owing to the absence of material witnesses it was necessary to omit temporarily this part of the Inquiry from the jurisdiction of the Court Martial. The Court of Inquiry has therefore been held with open doors; and as the evidence given before the Court has been made public, the Report of the Court will also be sent to the public Press.

THE SUNDAY CLOSING BILL.

SIR W. LAWSON (Cumberland, Cockermouth) gave notice of his intention to move the suspension of the Six o'clock rule to-morrow in order that the Sunday Closing Bill might be proceeded with, but——

*MR. SPEAKER said: It will not be competent for the hon. Member to make that Motion.

IRELAND—PROCEEDINGS AGAINST DR. TANNER.

MR. GILL (Louth, S.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether, eight weeks after his imprisonment began, a fresh prosecution, under the Criminal Law and Procedure (Ireland) Act, has been instituted against Dr. Tanner, M.P.; and, whether, although the case had been fixed for hearing for 4th July, the Crown seek an adjournment till three weeks later, in order that the honourable Member may complete his present sentence, and the possibility of a concurrent sentence be thus obviated?

MR. A. J. BALFOUR: The Notice of the question is insufficient. A Report has not yet been received. It has been called for by wire this morning.

MOTION.

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THE INTERNATIONAL LABOUR CONFERENCE.

ADJOURNMENT OF THE HOUSE.

*MR. CUNINGHAME GRAHAM, Member for the North Western Division of Lanarkshire, rose in his place, and asked leave to move the Adjournment of the House, for the purpose of discussing a definite matter of urgent public importance—namely, the instructions to be furnished by the Government to the British Delegates to the International Labour Conference to be held in September at Berne, which preclude them from entering into the discussion of an International limitation of the hours of labour and restriction of output;

But the pleasure of the House not having been signified,

Mr. SPEAKER called on those Members who supported the Motion to rise in their places, and not less than 40 Members having accordingly risen—

*MR. C. GRAHAM: I know that the course which I have taken is considered an extreme measure; but I cannot help thinking that I have on many occasions known the adjournment of the House moved upon matters which, to my mind, were of much less importance than the subject I propose to discuss. I wish to point out that when the late Lord Beaconsfield was accredited as the British representative to the Conference at Berlin his hands were not tied, so far as I am aware, in any respect whatever. He was allowed to go and discuss the affairs of this nation with the most plenary powers. In my opinion, the matters which Lord Beaconsfield was empowered to discuss were not so important to the great masses of the working classes as are the questions which will come before the British representative

at the International Conference at Berne; and as the British Government have for the first time accredited representatives to meet the representatives of other nations to discuss purely labour matters, it is to be regretted that full and absolute powers have not been given to them. What will be the position of the British representatives at the Conference, when the representatives of other nations are engaged in certain discussions? The British representatives will be precluded from entering into questions in connection with which this country has hitherto led the way in bringing about reform. The subjects for discussion named in the Circular which has been sent out by the Swiss Government are — the prohibition of Sunday labour; fixing a minimum age for the employment of children in factories; the limitation of working hours for young people; the prohibition of employment in unhealthy and dangerous industries; the limitation of night work; and the adoption of a State plan for the attainment of these objects. I do not see one word in the circular about the limitation of the hours of labour or about any principle having for its object the restriction of output. Her Majesty's Government have gone out of their way in order to throw down a direct challenge to the representatives of labour in this House and to slight the wishes of a large section of the working classes of this country by giving definite instructions to their representatives at Berne that if these questions of limitation of hours and the restriction of output happen to crop up they are not to discuss them. It seems to me that this is a very curious proceeding; I do not know that Her Majesty's Government have had a more striking opportunity of late of making themselves popular with the working classes of this country, but they have preferred to lose the chance and throw the opportunity away. I cannot help thinking, when I look at the Treasury Bench, that the instruction could not have emanated from any right hon. Gentleman sitting there, but it must have come from some permanent official who would conclude that in consequence of the large number of the employers of labour, who are to be found on both sides of the House, he would be certain to receive support, while the measure of support which I would receive would not be very large, I would ask the House whether it is wise in such a juncture as the present to attempt to put a stop to questions that are engrossing so considerable amount of attention. I know that this is not the proper time for arguing these questions at length, but I think I may be allowed to explain the reasons which actuate me in taking up the time of the House by moving the adjournment. I know that these questions are growing, and that they will become greater and more important than they are at present. Two years ago I was the only Member who drew attention to the question of the limitation of the hours of labour, and I was received with contumely on the one side and silence on the other. So far from that being the case, now, I had not the slightest difficulty in obtaining the support of 40 Members to my proposal to move the adjournment of the House. There are even Members on the Conservative Benches who make no scruple in supporting me on this question. It is somewhat remarkable how, of late years, the principles which I desire to enunciate have gained ground. The working people had been made so much use of by political economists that in many instances they were taught to believe that no state interference in the hours of labour can conduce to their welfare. At the present moment there is no question, apart from the Irish question, upon which so large a meeting can be held, and so much opinion expressed as this of the hours of labour. I happen to have returned recently from a short tour in Scotland and the North of England. I found that these questions are engrossing a large amount of attention in the industrial centres of the country and in the North unanimous resolutions have been carried by large meetings in favour of the principle of the limitation of hours and the restriction of output, because the working classes believe that its adoption would enable them to better their condition of life, and obtain a larger share of the wealth they create, than they are able to do at present. I do not think that the Trades Unionists in this House will contradict me when I say that ever since the formation of Trades Unions in this country the restriction of output has formed part of their programme. Trades

Unions at this moment are in the odour of sanctity, although it is not long since both sides of the House had no words too hard to throw at them. They were incendiaries of setters of class against class, and they were the objects of much oratorical claptrap. They are now in the odour of sanctity, and there are no words too high to express approval of them. I congratulate the right hon. Gentleman the Member for Newcastle (Mr. J. Morley) upon the straightforward and courageous attitude which he has assumed in reference to the matter. I esteem that attitude the more highly because the right hon. Gentleman is an opponent of the limitation of the hours of labour, and his utterances the other day were most probably in compliance with the feeling of irritation which was growing up in his constituency. A deputation of Socialists, headed by Messrs. Laidlaw, Stewart and Hill, waited upon the right hon. Gentleman. The deputation spent a couple of hours with him, and employed them in discussing very warmly this question of the limitation of the hours of labour. When the right hon. Gentleman, acting according to the dictates of his conscience, expressed himself as being unfavourable to State interference, the deputation manifested considerable impatience and considerable regret at the attitude which the right hon. Gentleman felt himself compelled to take up. That feeling of irritation is not confined to Newcastle. There is a growing feeling which is becoming very general among the working classes in favour of an eight hours' day. The Liberal candidate who is now soliciting the suffrages of the mining constituency of West Fife, at a recent meeting of miners, pledged himself on this subject, and among the members of many trade societies a plébiscite has been taken, which in almost every case has been favourable to the proposal to limit by legislation the working day to eight hours. I am afraid that questions of this kind which deal solely with matters affecting the daily life of the working classes of Great Britain and Ireland could not be made interesting, even by a Demosthenes, because the daily life of the working classes is uninteresting and dull. [*Cries of* "No."] Hon. Members say "No," but I maintain that the life of a man who stands for 16 hours a day on the platform of a street car cannot be otherwise than uninteresting and dull. Hon. Members will not dissent from me when I say that the life of a man who spends 16 or 17 hours a day in a railway signal box, or of a gas stoker who has to stand perspiring in a temperature above 100 before a retort for 12 hours a day, during six days a week, can be otherwise than uninteresting and dull. I will, however, pass from that subject, and lay before the House the result of the year's *plébiscite* which has been taken upon this eight hours' question. For two years the question did not greatly engross the attention of Trades Union Societies, but now although a few have been unfavourable, I find that a large number comprehending representative societies have been favourable. The National Union of Boot and Shoe Rivetters and Finishers voted 505 for eight hours, and 107 against; while in favour of legislative enactment, 409 voted against 6 who were in favour of individual effort. The Birmingham Miners Conference were unanimously in favour of eight hours by legislative enactment. The London Society of Compositors voted 2,201 against 1,411; the Typographical Association, 1,269 against 1,144; and several important and popular members, such as Mr. John Burns of Battersea, have been returned to the London County Council distinctly or mainly owing to the importance which was attached to their pledges in regard to the limitation of the hours of labour. There are Members of this House who, while feeling in the highest degree the position into which skilled labour in this country is being forced, still express themselves unfavourable to the idea of legislative enactment. One of their strongest arguments is that of internationalism. It is asserted that it would be unfair to expose the trades of this country to the competition of other countries in which limitations of a different character have been passed by law. But if the serpent of internationalism is to lie in the path or if foreign competition is to be the difficulty, surely this is the moment when it ought to be dealt with. The assembling of a conference of the Representatives of all countries should be the occasion for the Government to express a desire to elevate the lot of the working classes, by

whose exertions we are fed and clothed; but so far from that they have expressed themselves unfavourable even to the discussion of the question. Internationally, the question is assuming vast proportions. An international conference was held in Newman Street, London, a few months ago, and the delegates of every foreign trade, with two exceptions, were in favour of the reduction of the hours of labour by a legislative arrangement. The votes of the delegates were much more largely in favour of the limitation than any one had hitherto supposed would be the case. Among those who voted with the foreign delegates were Clementina Black, Miss Simcox, John Burns, Andrew Sharp, the miners' agent at Whitehaven, the hon. Member for the Wansbeck Division (Mr. Fenwick), Mr. Keir Hurdie, and others representing a remarkable consensus of opinion. So far as Australia is concerned, only six weeks ago the working men of Victoria met in their thousands to celebrate the 24th or 34th anniversary of the inauguration of an eight hours' day of labour. Although we have been unable to pass a legislative enactment here, that course has been taken by one of the Australian Colonies without any lamentable result having followed. I believe that it is the purpose of the working men of the United States to inaugurate an eight hours' day of labour next year. It is a subject which is engaging the attention of every working class society and of every commercial country abroad. Even in Spain instructions have been given to the delegates attending the Conference to signify the adhesion of the great body of the working classes of that country to the principle of a general reduction of the hours of labour. I do not know whether the Rules of this House preclude me from saying a few words about the miners of this country, seeing that I have introduced a Bill upon the subject. I may, however, be permitted to say that in two districts, represented by hon. Gentlemen who sit behind me, I am aware that the adhesion of the miners has not been generally favourable to this principle. After all, these two Gentlemen only represent some 60,000 or 70,000 miners, whereas the whole body of the mining population amounts to something like 600,000. In the course of three or four weeks I obtained 38,000 signatures to a petition, showing the opinion of the mining population of Scotland on this matter. Now I wish to ask Her Majesty's Government if they have any special reason why they have instructed their delegate not to enter into a discussion on this subject. I suppose that they have not done it out of pure cussedness, but I anticipate that they think that they will get support from some section of the community in return for their action, and that they will catch the votes of those who always go about saying that there can be no reduction in the hours of labour without a corresponding reduction of wages. That seems a very fair argument on the face of it, but when we look at the facts, I do not find that a reduction of wages in this country followed on the adoption of the nine and ten hours' movement. Indeed, skilled mechanics in this country now get higher wages than they received fifteen or twenty years ago, prior to the introduction of this movement. I know that considerable jubilation was expressed by the junior Member for Northampton, with reference to a recent return on labour statistics, and with respect to the reduction of hours of labour in the United States. He stated that the limitation of the hours of labour there had produced a great reduction in the rate of wages, but I find that the very reverse is the case, according to a return issued in 1880. Six years after the passing of the ten hours law in Massachusetts, Mr. E. Atkinson, a prominent Free Trade advocate, stated that it had injured workmen by making wages one-eleventh less than those obtained by similar labourers in other States. An investigation was at once ordered by the Massachusetts Labour Bureau, and in 1881, a Report was issued from which it appeared that the average worker in the State of Massachusetts, in which the ten hours' law operated, worked nearly six hours less, and received nearly three shillings more per week than the workers in the five adjoining States. I will trouble the House with a few figures in support of this. In Maine the average working time was 66½ hours a week, and the average of wages \$7·4. In New Hampshire the hours were 66⅔, and the wages \$7·44. In Rhode Island, 66 hours, and

$8·61 ; Connecticut the hours were 65¼, and the wages $7·57 ; and in Massachusetts the hours were 60, and the wages $8·25. I would ask the Member for Haddington, when next he addresses a section of his constituents, who are mainly miners, if, in the face of these statistics, he can tell them that invariably a fall of wages follows a reduction of hours of labour. As I know him to be a man eminently fair-minded and always willing to take the trouble to inquire into such matters, and not likely to condemn opinions without having made inquiry, I beg him to look into this matter, and see whether he cannot himself support me on this question. I trust that hon. Members, on both sides of the House, will find it possible to afford me a considerable measure of support, for there can be nothing damaging in the smallest degree to Her Majesty's Government if they promise to re-consider their decision upon the matter. I presume that no one thinks that the long hours to which I have referred are willingly worked by tramway men, gas stokers, and railway men, for they are forced to work these long hours by the pressure of economic circumstances. The working classes themselves wherever this question has been placed before them have always given their adhesion to it in a very marked manner, and I presume that is accounted for by the fact that they are thoroughly dissatisfied and discontented with the present system; and that they are determined, with the help of this House, to secure for themselves a little more time to enable them to take some part in our boasted civilization. But they cannot attain this end unaided. It has taken 50 years to enlist 10 per cent of the working classes of the country in the Trades Unions. It would probably take another two or three hundred years to enlist the remaining 90 per cent. They are not anxious to wait all that time for the accomplishment of this object, and I can assure the Government that if they will only re consider the decision they have arrived at in reference to the conference they will lay a debt of gratitude on the working men of this country, which I feel sure they will not readily forget.

*MR. BAUMANN (Camberwell, Peckham): I wish to second the Motion, in the first place, because I think the action of the Government has been very regrettable, and I hope they may yet reconsider their decision. I hope also that the division which is about to ensue will not be a Party division. I am very anxious that the Conservatives as a Party should not close their ears upon the question, and that they should not show that they are wanting in sympathy or in interest in this matter. I trust that the House will allow me, in the first place, in order to ascertain the position in which the question stands, to refer to the correspondence that has passed between the President of the Swiss Federation and Lord Salisbury. I must apologize if I have but inadequately mastered it, for, although the correspondence was promised us this morning it was not delivered with our Parliamentary Papers, and I only obtained a copy of it on coming down to the House this afternoon. The President of the Swiss Federation, in a dispatch dated 51th March, 1889, reminds Her Majesty's Government that so long ago as 1881, the Swiss Federation endeavoured to convoke a European Conference on this subject, but finding there was great difference of opinion upon legislation affecting labour, and not very much interest felt in it at that moment, they abandoned the attempt. But the President goes on to say that during recent years, so much progress has been made in legislation, and so deep and universal is the interest in the subject of labour legislation, that he ventures to invite our Government to co-operate in this conference in the year 1889. Now, the point which I wish to impress upon the House is this, that the President of the Swiss Federation in this dispatch, does not for one moment propose any regulation of the hours of adult male labour, as a subject for International legislation. On the contrary, he specificially excluded this subject from the International question. If the House will allow me, I will read one or two sentences from the despatch. The President says that in his opinion the Conference should be based upon a programme adopted in advance, and then he enumerates the parts of the programme which ought to form the basis of an International Convention. The point of the programme I think the House will realize when I read a portion of Lord Salisbury's reply.

"It must be understood that Her Majesty's Government only accept the invitation which the President has done them the honour to forward for the purpose of discussing the five matters specially proposed for their examination —namely, the prohibition of Sunday labour, the fixing of a *minimum* of age for the admission of children into factories, the fixing of a *maximum* limit of a working day for young persons, the prohibition of the employment of women and young persons in specially unhealthy or dangerous callings, and the limitation of night work for women and young persons. It is necessary to make this reserve, because in other parts of the President's note allusions are made to projects for regulating the hours of adult male labour and imposing restrictions upon production, and these are questions which in any case the representatives of this country would not be instructed to discuss."

This places the House in possession of the position of the Government and names the points Her Majesty's representatives would be instructed not to discuss. Mr. Speaker, the Government might have refused the invitation altogether. They might have declined to send a representative to the Conference at all, and though such a course would, in my humble judgment, not have been politic it would have been logical, consistent, and quite intelligible; but to send representatives to the Labour Conference and to withdraw them when the question of the hours of labour comes on for discussion can only mean one of two things. Either it means that the hours of labour question is too perilous and prickly a topic for our representative to handle—which is to treat our artizans like babies: or it means that the question is so futile and so absurd that although it may be very well for foreigners to discuss it, our superior British wisdom declines to argue it, which is to offer a gross impertinence to the Continental artizans in whose Conference we propose to participate. Now, is that a wise or a candid attitude for the Government to take up? Does it show any openness or flexibility of mind? If there were any considerable number of persons who doubted the rotundity of the earth, the best way of meeting them would be to discuss the matter. The day of authority in political economy has passed. Demonstration, not dogma, must be the basis of our belief. If the regulation of the hours of labour is so foolish, and so absurd and so dangerous, our working classes are quite able to see it; and, moreover, nothing is more calculated to popularise and promote discussion on this subject than the attempt to boycott it. A forbidden speech, like a forbidden writing, is thought to be a certain spark of truth, that flies up in the faces of those who seek to read it out. This leads me to another question. I should like to know who are to be our representatives at this labour conference. Who are to be represented? The Government technically, the working classes really. What is the Government, if it is not the organ and the mouthpiece of the working classes, the guardian of their interests, the guide of their ideas? If Mr. John Burnett is to be one, I shall be glad, but I should be sorry to hear that he was to have for his colleague a fanatic for theory or a statistical machine. I hope sincerely that some Board of Trade official will not be appointed, but that a gentleman will be chosen who has knowledge of and sympathy with the condition of the working men of this country. This subject of the hours of labour is profoundly agitating the Trades Unions and working men's clubs. At the Trade Union Congress the question occupied a prominent part in the president's address, and a special debate on the subject was afterwards initiated by Mr. Maudsley, of Manchester. Statistics have been collected from the organised trades of the country showing that opinion was very much divided on the question, therefore there is all the more reason for discussing it at an international congress. What question is occupying the attention of the Sweating Committee of the House of Lords at the present moment? It is almost exclusively the question of the hours of labour, and if this be not an arguable question then Lord Dunraven is an elaborate trifler, and the Archbishop of Canterbury is a reverend *farceur*. In conclusion, let me point out that the Government are not called upon to express an opinion on this subject, and they might have instructed their delegates to have gone into the Conference, and at the same time have especially safeguarded themselves. They might have pronounced an adverse and decided opinion against anything like an eight hours' day, but at the same time they might have allowed our representatives to discuss any question coming before the Conference. If anything is likely

to augment the influence of extreme men, I repeat, it is this attempt on the part of the Government to burke discussion. And, therefore, I do hope that, in the interests of free and open discussion, and in the interests of the working classes themselves, the Government will consent to re-consider their decision. If the regulation of adult labour be wrong let it be proved so in open forum. I beg to second the Motion for the adjournment of the House.

Motion made, and Question proposed, "That this House do now adjourn."—(*Mr. Cuninghame Graham.*)

SIR J. FERGUSSON (Manchester, N.E.): The mover and seconder of this Motion have based their objections to the action of the Government more or less on the ground of sympathy with the principle which we have excluded. The hon. Member for Lanarkshire traverses the conduct of the Government on the ground that it is not usual or reasonable in accepting an invitation to an international conference, to take exception in the first place to possible subjects for discussion. But I venture to say that the hon. Member is quite wrong in his contention, and that the representatives of this and other countries have gone into conferences perfectly free. It has been the invariable rule, not only of this country but of every other country, first to be satisfied with the basis of discussion on such occasions. In some cases exception has been taken to the subjects for discussion, and in other additions have been made to the subjects. At the great Congress at Berlin, which Lord Beaconsfield attended as one of the British Plenipotentiaries, the greatest care was taken that the terms of the invitation might be such as this country could accept. That precedent is, therefore, entirely against the hon. Member. I do not know how the hon. member learns the representatives of other countries are free to discuss Socialist principles at the Berne Conference, and it is certainly beyond my knowledge that they are so empowered. The hon. Member went on to say that if Her Majesty's Government desire popularity among the working classes they would not shrink from an inquiry in which the working classes are so greatly interested. The hon. Member knows the pleasures of popularity, and naturally supposes that others share his feelings. But those who are charged with great responsibilities must have regard to other motives, and must not for a moment trifle with principles they regard as essential. We must not be supposed to regard as open questions those which from our point of view do not admit of discussion. When the hon. Member for Peckham (Mr. Baumann) said Her Majesty's Government should show flexibility of mind in that respect, that may be so, but Her Majesty's Government should not show weakness of back.

*MR. GRAHAM: My whole argument was to the effect that this measure would, in my opinion, conduce to the well-being and comfort of the working classes.

*SIR J. FERGUSSON: I quite understand that, and give the hon. Member the fullest credit for the motives with which he has brought the question forward. I hope the hon. Member is not alone in the interest he takes in the welfare of the working classes. There are some who take upon themselves to claim a certain platform and standard as representatives of the working classes. We are all, now a days, representatives of the working men. No Member of the House represents a more purely working class constituency than I myself do, and I have not heard any such expression of opinion as the hon. Member referred to. Nor have Her Majesty's Government heard from any trade societies that they hold opinions such as the hon. Member indicates. On the contrary, the only indication the Government have received from any trade society upon the subject was from the London Trades Council, who desired the Government to favourably entertain the invitation given to them, because they thought the Conference would have a beneficial effect in assimilating the factory laws of other Europern countries to those of our own.

*MR. GRAHAM: Does the right hon. Gentleman think those trade societies, the votes of whose Members I had the honour to lay before the House, are heartily in favour of this measure?

*SIR J. FERGUSSON: I do not think I am called upon to argue with the hon. Member upon proceedings which took place at meetings attended by the hon. Member.

*Mr. GRAHAM: I beg leave to again interrupt the right hon. Gentleman. [*Cries of* "Order."] When Mr. Speaker orders me I will sit down.

*Mr. SPEAKER: Order, order!

*Mr. GRAHAM: Certainly, Sir.

*Mr. SPEAKER: The right hon. Gentleman is in possession of the House. If he does not choose to yield, the hon. Gentleman has no right to interrupt.

*Sir J. FERGUSSON: I give the hon. Member the fullest credit both for the motives with which he has brought the question before the House and for the faithful reporting of what took place elsewhere. I do not think the hon. Member has any right to say the House regards questions affecting working men as uninteresting. No questions of late years have more conspicuously attracted the attention of the House than those affecting the working classes, and the measures passed have been acknowledged by the representatives of working men in this House to have received the most careful attention possible. But it is quite another thing with regard to questions which are put forward nominally in the interests of the working men, but which I, for one, regard as empirical and open to dispute. Against the restriction of the hours of labour and the limitation of production, the right hon. Gentleman the Member for Newcastle (Mr. J. Morley) has taken a strong position, but I understand the right hon. Gentleman to say that Her Majesty's Government should have gone into the Conference ready to discuss those questions, so that they might say anything that could be said in answer to the propositions put forward and bring to bear on the discussion any facts derived from experience in this country. That was the view also of the hon. Member for Peckham (Mr. Baumann). The representatives of this country are to represent at the Conference the views of this country; but surely they would not do so by treating as an open question a proposal to which we are altogether opposed. The Conference is not a mere debating society to discuss academically questions of principle, but is a meeting for the purpose of discussing questions which the Governments represented consider are open, and of arriving at conclusions to which the Legislatures of the respective countries may proceed to give effect. Her Majesty's Government think that the questions of limiting the hours of workmen's labour and the limitation of production should not be discussed as practical questions which they can submit to Parliament. The hon. Member for Lanarkshire (Mr. Graham) has mentioned the case of the tramway men, and said that ought to be discussed. That may be so, but are we prepared to submit to the Conference the conditions under which these men are employed? Questions of that kind arising in this country can be discussed without going to Switzerland or anywhere else. In this country by good sense, aided by legislation, many of the difficulties formerly affecting capital and labour in times past have been happily got over. We have passed some measures which interfere with the freedom of individuals, but those cases are regarded as exceptions. The general adoption of such measures as the hon. Gentleman advocates would limit and cramp endeavour, would reduce the efforts which are made by the educated classes in this country to advance science, to improve industry, and to stimulate and develop our resources. We are asked to accept as a principle that which has hitherto been regarded as an exception, and to do so would have anything but a beneficial effect. The hon. Member says this question should be discussed in open forum. What is the forum where we ought to discuss matters affecting the interests of the people of this country? Why, the forum of this House. If hon. Members wish to introduce Socialistic measures let them bring their proposals to the test of discussion in this House. What have the Government done? They have accepted with good grace the proposals made by the Swiss Government to go into Conference to discuss certain definite questions. They have gone a step further than their predecessors. In 1881 a similar proposal was made to the Government of the right hon. Gentleman the Member for Mid Lothian (Mr. Gladstone) and it was declined, because, as it was said, we had dealt with such matters in this country as far as we thought judicious, and it was for other nations to adopt our legislation if they thought proper. Her Majesty's present Government have gone beyond their predecessors in this respect because they

have reason to believe that it would be agreeable to the people of this country that they should be represented, and that, having placed certain restrictions upon the labour of the helpless, it would be very desirable if other nations were to adopt the same wise restrictions, which might, in the first place, reduce production, but which might in the end produce better work and greatly improve the comfort and welfare of the industrial populations. They have, however, declined to go beyond the principle which Parliament has always adopted and to enter into questions affecting the labour of adult males and the extent of production. The hon. Member for Peckham says that the Government had no need to assume that such matters would form the subject of discussion at the Conference, and he read some passages from the letter of invitation. The letter of the Swiss Government, however, showed that further proposals were within their intentions with regard to adult labour and production. But it was not only these expressions which showed that this was so. In February last M. Droz, the distinguished Foreign Minister of Switzerland, published in the *Bibliothèque Universelle et Revue Suisse* an article signed by himself upon "The International Legislation of Labour," wherein he examined the possibility of giving effect to the aspirations of international Socialists, in the best sense of the term, who were advocating the necessity of an international agreement with regard to legislation for the protection of labour, in order, if possible, to regulate the effects of competition, which, in their opinion, threatened to crush the working classes. Her Majesty's Government could, therefore, have no doubt that the "ulterior measures" indicated direct proposals for an agreement to legislate in restriction of male labour and production. The five points which the Government have stated their readiness to discuss have been described as being subjects for preparatory conference, but ulterior conferences are contemplated at which these other questions will be taken up. It is impossible to ignore the clear indications of such ulterior conferences, and Her Majesty's Government could not do less than make due reservations in their acceptance.

MR. J. MORLEY (Newcastle-on-Tyne): The hon. Member for Peckham (Mr. Baumann) stated the case against the Government so fairly and temperately that I should not have felt myself called upon to make a few remarks had not some observations been made as to my motive in supporting the hon. Gentleman in moving the adjournment. I supported the hon. Gentleman not, as he supposed, because I am getting more inclined to agree with him—I am as little inclined to agree with him and his friends as I ever have been—but because I believe that discussion under the greatest possible variety of circumstances is the best means of expressing to the working men of this country the entire fallacy and delusiveness of this proposal. The hon. Gentleman said he supposed I supported the Motion for adjournment because I have found in my constituency some irritation at the line which I took up a few weeks ago. He also stated that he had been making a tour in the North of England, and he wished the House to believe that he had attended meetings supporting his views. The hon. Gentleman has referred to what passed between my constituents and myself at Newcastle. I should like for a moment to tell the House what happened, and then hon. Members will be able to take the measure of the hon. Gentleman's tour. I was approached by a number of Socialists in my constituency, who desired a discussion with me. Unlike the Government, I did not shrink from a discussion. I said what I had to say to the deputation, and we parted on perfectly amicable terms, each thinking the other entirely wrong. But since then I have had two large meetings of my constituents.

*MR. GRAHAM: Open?

MR. J. MORLEY: Certainly. The meeting in the Town Hall the hon. Member himself might have attended. It was my annual address to my constituents, and anyone, Conservative or Liberal, had access to it. I have since met a meeting of the 500 or 600 at Newcastle, and all hands were held up in favour of my view except three. So much for the hon. Gentleman's imputation of motives. I have nothing to fear from my constituents. I have often thought it a great pity that people who profess

such a love of mankind in general should always be so ready to impute bad motives to particular individuals.

*MR. GRAHAM: I wish to know whether the right hon. Gentleman thoroughly understands what I said? I imputed the very best of motives to him—namely, that he wished to comply with what I considered was a rising feeling in his constituency; and I ask him whether that is not a good motive?

MR. J. MORLEY: No, Sir; I do not think it is.

*MR. GRAHAM: Then you do not represent your constituency.

MR. J. MORLEY: If I think that in my constituency there has arisen a feeling for something which is wrong and mischievous it is not a good motive to fall in with it. I repeat, that I think it is a great pity that professional philanthropists should be so misanthropic.

*MR. GRAHAM: A professional philanthropist is, I presume, a man who receives money for what he does; and I wish to ask whether the right hon. Gentleman is allowed to presume on his position as an ex-Cabinet Minister and to put me down and pass an insult upon me by terming me a professional philanthropist?

*MR. SPEAKER: Mr. John Morley.

MR. J. MORLEY: I do not wish to insult the hon. Gentleman. He has insulted me, but I pass that over, and I do not wish to insult him by calling him a philanthropist.

*MR. GRAHAM: Professional philanthropist.

MR. J. MORLEY: But the hon. Gentleman went further, and made more serious misrepresentations. He referred to the *plébiscite* that had been taken among the Trade Unionists. I have taken a great deal of trouble for some weeks and months to ascertain the drift of the answers given to the questions that were submitted by the Trade Union authorities. There were given in this week's issue of a paper called *Engineering* the answers to the questions; and all I can say is that, for my own part, I am unable to detect any clear conclusion as to the drift of the answers except one, and that is that there is an immense difference of opinion amongst the Trades Union members on this subject. It is quite possible to analyze these answers in such a way as to show that, with the exception of two trade societies, there is a majority against legislative interference in restricting hours of labour. Thirteen societies are against legislative interference and 11 in favour, and these include the great and important Society of the Amalgamated Engineers. The Trades Council of Warrington declared that an Eight Hour Bill was impracticable; the Ipswich Trades Council would like to see nine hours tried first, which I think showed very great sense; Edinburgh was in favour of each trade deciding for itself; Wolverhampton thought the time inopportune; Norwich thought it inexpedient to appeal to Parliament; Liverpool expressed the opinion that overtime should be abolished first. The hon. Member who moved the adjournment first of all denounced the House as a place where labour questions were neglected, in which I do not agree with him; and then he said it was a Parliament of capitalists, and he proposed to place in the power of this House of capitalists the restriction of the hours of labour of the working classes. I cannot imagine a more extraordinary proposition. We cannot on this Motion discuss the question of the restriction of labour to eight hours. I may, perhaps, be allowed to point out that the House does not hear exactly what the hon. Gentleman proposes. Is it proposed that all industries should be restricted to eight hours? Are sailors and season-trade men to be restricted to eight hours? Why does not the hon. Gentleman say something about that before making accusations?

*MR. GRAHAM: Those questions were not before the House.

MR. J. MORLEY: They were not before the House, but the hon. Gentleman brought other questions forward, and he ought to have brought these. The hon. Member did not deal with the all-important question as to whether, when the hours had been restricted to eight, it was expected that wages would remain at the same pitch. I was told the other day that in a municipality in the North of England, when the members of the council had a proposal brought before them restricting labour under all contracts and work given out by the council to eight hours, it was received, as the bare proposal would always be received, with enthusiasm. The men, however, when consulted on

the subject, strongly asserted that of course they would have to be paid the same wages for the eight-hours day. And this being found to involve an addition to the rates of 1½d. or 2d. in the pound the enthusiasm among the ratepayers and their representatives dwindled down, and the proposal came to nothing. Therefore, those in favour of legislative restriction of the hours of labour to eight must tell us if they expect wages to be kept up or not. Another point I should have expected the hon. Member to deal with is overtime. Are you going to allow overtime? No, I suppose not. Bnt how are you going to stop it? It is one of the great points of complaint by the Trades Union leaders that they cannot persuade their own friends not to take advantage of overtime when they get the chance. I am sorry to make these personal references to the hon. Member; but as I am following and opposing him I am bound to deal with one more point. The hon. Gentleman referred to the International Trades Union Congress held in November last, and I understood him to lead the House to believe that the English delegates at that Congress were in favour finally of legislative restriction upon the hours of labour.

*MR. CUNINGHAME GRAHAM: No, I said nothing of the sort. I said a percentage of them. This is a matter that affects the welfare of hundreds of thousands of working men, and I hope the House will allow me to make the matter clear. What I said was that a much larger percentage of the delegates voted in favour of it than I supposed possible, and I instanced names.

MR. J. MORLEY: Of course I am perfectly sure that if the hon. Member says so he did say this; but the impression made on the House was that the feeling of the English delegates—otherwise I do not see the force of the hon. Member's argument—was in favour of legislative restriction. But this was not so. Upon the last vote taken in the Conference, there were of 49 English delegates 32 who voted against a resolution in favour of legislative restriction, and 9 who voted in favour of it. The foreign delegates, I know, were almost unanimous in support of it. But whatever the intention of the hon. Member may have been, the House must not be under the impression that the attitude of the English delegates was an attitude in favour of legislative restriction. Now, I turn for a moment to the remarks and the defence made by the right hon. Gentleman the Under Secretary. I confess I thought he took up an extraordinary position. He talked about Socialistic proposals, and using that expression again and again said it would never do for Her Majesty's Government to advocate Socialistic proposals. Now what is this Socialistic proposal? It is a proposal to limit by legislation the hours of adult male labour. Her Majesty's Government repudiate that, and yet they are going into a Conference to discuss the question of Sunday labour. Is that not a question of the restriction of adult male labour? Do you not admit this famous Socialistic principle when you enter into such a discussion as that? The fact is that it is now too late in the day for any Government to talk about Socialistic principles. Our whole legislation for a great number of years—certainly since the Poor Law—has been founded on Socialistic principles. In no country is there more Government regulation, supervision, and interference, more so-called Socialistic legislation, than in our own. Therefore the right hon. Gentleman has put forward a very idle plea. I regret that Her Majesty's Government should in any way have vetoed this discussion, for reasons that I will ask the House to listen to. The Under Secretary says what good will you do, by going to Berne, to the poor and miserable whom the hon. Member for Lanark talked about. Why, if the right hon. Gentleman had had time to consider this question, he would have known that the English working classes are well aware that limitations of the hours of labour and other labour regulations on the Continent of Europe are of vital importance to the improvement of their own condition. That is a reason why we should go to Berne with a perfectly open mind, I do not say ready to vote for any proposal, but ready to discuss any proposal of the kind. There is no doubt anybody who considers the subject will allow that the uniform depression of trade in certain countries in France, in England, in Austria, in Germany, has a general effect on trade generally. The economic circumstances of one country affect those of another.

I may claim to know something of what is passing in the minds of the working classes of this country, and I know that they hold that they are concerned with the labour regulation in foreign countries as a matter closely connected with the improvement of their own condition. Is there anything in the interests of humanity which we should desire much more than that the hours of labour in Belgium, France, and on the Continent generally should be shortened? But upon this most important question the mouths of our representatives are to be sealed. What harm would it have done if our representatives had discussed this question, which is one which will be discussed in this House year after year? It is perfectly clear that we cannot know too much about this question, and it would rather strengthen the hands of the Minister of the day to be familiar through the Reports of our representatives with foreign feeling on this subject. And we ought to be ready to meet the arguments that were urged against our own views. The hon. Member for Peckham has asked who our representatives will be? That is a very important point. I do not in the least wish to press the Government if it is inconvenient to give the information now. I have heard it said that we are to be represented by our diplomatic representative in Switzerland, and that I know would be very disappointing to our constituents. It is also said that an official will go from the Board of Trade, and that also would be very disappointing; and thirdly—and this is the least unfortunate proposal—that an official should be sent from the Home Office. If a Factory Inspector were to go, there is no doubt he would carry a great deal of experience. But this is not enough. You want a representative, not merely of the point of view of officials—I do not in the least speak disparagingly of them—but of the view of trades representatives. I do hope, therefore, that the Government, whether they give way or not in the matter of this I think most absurd reservation, will be very careful not to make an appointment that will debar the members of the Congress from having the best opinion they can get, and, on the other hand, giving a proper impression in England of the bearing and scope of what is done at the Congress. I regret anything that at all discourages any disposition to International action. Whatever the subject may be, within reasonable limitations, not including, of course, matters affecting our national existence, any subject that can be dealt with by International intercourse and communication should be so dealt with to the great gain of European civilization and humanity. I am glad the Government have gone so far as they have; but I regret the reservations they have attached to their assent.

*THE PRESIDENT OF THE LOCAL GOVERNMENT BOARD (Mr. RITCHIE, Tower Hamlets, St. George's): My right hon. Friend the Under Secretary for Foreign Affairs has so fully dealt with the speech of the hon. Member for Lanarkshire that I should not have considered it necessary to add anything were it not for some observations of the right hon. Gentleman who has just sat down. With the greater part of those observations I need hardly say that the Ministers of Her Majesty's Government entirely agree. They feel as completely as he does what the results would be of any attempts to limit by legislation, production, or the hours of adult male labour. We consider that if any shortening of the existing hours of labour is required by the working men of this country they are quite able to deal with the matter themselves. Far from thinking with the hon. Gentleman who introduced this subject that legislation in this direction would make our working classes more manly and independent, we think it would have just the contrary result. The right hon. Gentleman the Member for Newcastle seemed to think we shrink from the discussion of this question. He was strong in advocating this discussion as the best possible means of dispelling the delusions of those Gentlemen who adopt the programme of the hon. Member for Lanark. We entirely agree with him that the more the question is discussed the more the fallacies of the proposition advanced will be proved. The only difference of opinion between us is as to the arena in which such discussion should take place. We think that in connection with this and any other questions that may be agitating the public mind in this country this House is the best arena for discussion. We therefore decline to assent to the proposition that for an adequate dis-

cussion of them we must go to Berne. The right hon. Gentleman is opposed to shortening the hours of adult male labour by legislation, and the Government agree with him; but we part company when he asks us to go into a solemn conference with the Powers of Europe gravely to discuss questions the settlement of which in a certain sense might imperil the industries of this country and bring disaster upon our working classes. It would not be in accordance with diplomatic usage that this country should go into a conference with reference to a question as to which we have absolutely made up our minds that it would not be to the interest of the people of this country that one of the proposals to be put forward should be accepted by the conference. The right hon. Gentleman said it was desirable we should go into discussion with the view of demonstrating to the Powers that it was desirable that other countries should adopt our shorter hours of labour; but that is not at all the view with which we are asked to go to the Conference. One of the leading features of the invitation is that there should be a restriction of output. Although in this country we have again and again legislated upon the employment of women and young persons, we have always considered it undesirable that legislation should take place with reference to the labour of adult males; and there is no doubt that if we had gone unreservedly into the Conference we should have been called upon to discuss the hours during which adult males should be employed. There is no evidence that the working classes of this country are in favour of any restriction of the hours of adult male labour. The discussion at the Trades Union Congress showed a great division of opinion. I quite admit the report is not altogether satisfactory, and the cursory reader does not readily get at the facts; but Mr. Maudsley, in submitting the Report of the Parliamentary Committee, said the result of inquiries had been anything but satisfactory. Only a small proportion of the societies answered questions that were put to them, and the majority of their members voted against an eight hours' agitation being undertaken. What tells more strongly than mere numbers is the small proportion of trade unions who replied to the questions, while the largest unions gave no vote on the subject at all. If probably only 10 per cent of the working classes of this country belong to trade unions, and not more than 10 per cent of the trade unions gave a vote upon this question, it is perfectly idle to talk of their being any indication that the trade unions and the working classes of this country are in favour of restriction on the hours of labour. We are under the impression that any attempt to deprive working men by enactment of the liberty which they enjoy of disposing of their labour in the best way they can would be scouted by the majority of the House and of the people of the country. I cannot conceive anything more fatal to our prosperity than the adoption of such a principle by the House of Commons. That being so, are the Government to be blamed because, being perfectly willing to discuss every specific point raised by the Swiss Government, they thought it right to point out that there were two questions the discussion of which they would not enter upon—namely, artificial restriction of production and the limitation of the hours of adult male labour. It has come upon the Government with something like astonishment that there should be any large section in the House who think that the Government would have been justified in assenting to enter upon the discussion of matters when they believe, and think the country believe, that such a solution as that pointed at would be antagonistic to the best interests of the country. I am somewhat surprised at the attitude of the right hon. Gentleman the Member for Newcastle. I admired the position taken up by the right hon. Gentleman when he was cross-examined by some of his constituents on various points of the Socialistic programme and the emphatic and uncompromising replies which he gave; and I am astonished that the hon. Member for Lanark should have made this the occasion of levelling any kind of aspersion or blame against the right hon. Gentleman.

MR. CUNINGHAME GRAHAM: I never did.

*MR. RITCHIE: The hon. Gentleman distinctly stated that the right hon. Gentleman had departed from the attitude he then assumed because he was afraid of his constituents. No man who was afraid of the opinion of his constituents would have given the replies

which the right hon. Gentleman made to the deputation that waited upon him; but one of those replies would appear to debar him from taking the attitude he has now adopted in the House; for he distinctly said he was not in favour of making an eight hours' working day by Act of Parliament; and as to International negotiation for an eight hours' day, the right hon. Gentleman deemed it to be an impracticable proposal, and he was sure we could never come to an arrangement with foreign countries on that point.

MR. J. MORLEY: Quite true; and I say that now: but the Government is invited to consider proposals in which that is not included.

*MR. RITCHIE: If it is not included, why does he blame us for saying it must be excluded?

MR. J. MORLEY: You may discuss it.

*MR. RITCHIE: But the right hon. Gentleman must take up one position or another; either it is advisable to discuss a proposal as a practicable one, or it is an impracticable one, and therefore idle to discuss it. Can the right hon. Gentleman seriously contend that we should enter into a grave discussion with foreign Powers on what we have publicly stated to be an impracticable proposal? Certainly the Government could not take such a view of their duty; and if we had not guarded ourselves in the way we did, we should have considered we were deceiving the Swiss Government, leading them to think we were prepared to go into the Conference with a view to bringing about a result which, in our opinion, is absolutely impracticable. The right hon. Gentleman finds fault with my right hon. Friend, the Under Secretary, because he referred to this proposal as socialistic. But the right hon. Gentleman knows perfectly well that this is one of the great planks of the socialistic platform. The right hon. Gentleman said it was an absurd reservation seeing that we did restrict the hours of labour on Sundays. I think he used the word "idle" in respect to the argument of my right hon. Friend, but I think he cannot be offended if I retort with the same word when he declines to see any distinction between labour on Sundays to other days of the week. It is part of the law of the land that there shall be no labour on Sunday, so I cannot for the life of me see why that should be any argument against us for not going into a conference with a view of discussing the employment of male labour on week days. We believe we should have been blameworthy if we had entered into a discussion of a matter which we regard as settled so far as this country is concerned, and we consider we should have been deceiving both the people of this and other countries if we had not carefully safeguarded ourselves in the way in which we believe every gentleman would have done.

MR. A. ACLAND (Yorkshire, W. R., Rotherham): I think there are many Members of the House who would say "If you cannot send a representative to the Conference without fettering him in the way proposed, for Heaven's sake do not send one at all." What necessity is there for the Prime Minister to go out of his way as he has done to allude to certain subjects which are not included amongst those which it is proposed to discuss? Why could not the noble Marquess be content to send a representative and simply instruct him to discuss the questions named. How are we to keep the question of adult male labour out of consideration? Assuming the Sunday question to be dealt with, the remaining four points referred to questions affecting the labour of women and children. Send any intelligent representative of England and what must he tell the Conference? He must tell them that in a large number of our trades where the labour of women and children is restricted by law, indirectly most certainly adult male labour is restricted in the same way. Does any one doubt that in the great textile industries adult male labour is indirectly restricted because the labour of women and children is directly restricted by law? If any representative sent to the Conference was told he must not touch upon adult male labour, he would be in a perfectly ridiculous position. It has been suggested, and it is a very reasonable suggestion, that the Labour Correspondent, Mr. Burnett, might be sent to represent us. I think Mr. Burnett would be a very fair representative, but just consider his position if he has to leave the Conference if this question comes up in any way. A man who can

tell the foreign representatives how we have hitherto dealt with some of these questions, a man who himself was Secretary to the Amalgamated Engineers during a great strike in the North of England, when they obtained by their energy and persistency the nine hours a day, and when they did, as our Trades Unions have done, more by their steady-going self-denial than all the Socialists had done and taught by all their writings,—I maintain that a man in Mr. Burnett's position ought to be free to take a view which no doubt would not be shared by many of the foreign delegates, and tell them how these things are managed in England. To talk of withdrawing male adult labour from consideration is really to stultify us in the matter. To stifle discussion in a matter of this sort is to encourage the Socialistic opinions which alarm so very much hon. Gentlemen opposite. The Under Secretary for Foreign Affairs has said it is obvious the mover and seconder of the Motion desire to advance socialistic views. It looks as if the Government themselves are by this stupid action actually desirous of encouraging an agitation in this country about the very principles which they do not wish our representative to discuss. I hope that if the Government persist in this view, those who do in this matter better represent the labour interest in this country than the Government do—the Trades Unions, the Parliamentary Committee, or some other representative body—will make it quite clear to our friends in Switzerland that the great mass of the labouring people in England are with them. Either let us keep clear of the Conference, or send a sensible man and give him a free hand. In the proposal which comes from Switzerland it is said that the resolutions of the Conference will be submitted to the various Governments in the form of simple propositions binding no one. Of course, they cannot bind anyone in this House or in the country, and whoever we sent could not represent all opinions in the country. But any sensible man whom we sent would say opinions varied in this country. I hope the Government will withdraw their proposition rather than send it to Europe in this feeble and foolish manner. At any rate, we have not hitherto believed in this grand-motherly policy in relation to these questions. Bring them out in the light of day, and discuss them freely, for the more they are discussed both here and in international conference, the better we shall learn to understand them.

*MR. C. DARLING (Deptford): As the representative of a constituency which includes a large number of the men interested in this question, I claim the indulgence of the House while I say a few words. It is proposed to censure the Government because they have simply safeguarded themselves from instructing their representative to discuss points which are not amongst those deliberately selected by the Government of Switzerland for discussion, and because they have received, perhaps, with abundant caution, the despatch of the Swiss Government, and finding in it one or two expressions which would lead any one to suppose that beyond the five selected points, two other points may be discussed, they have said that our representative shall not be instructed to discuss them. The Government do not say that our representatives shall go with their mouths closed, or that they must withdraw from the room if the question comes on. The Swiss Government is told not that our representatives must be silent, but that as to two questions, our representatives will in any case not be instructed to discuss them. That is very different to saying they will be instructed not to discuss them. The hon. Member (Mr. A. Acland) has contended that these questions if they came up incidentally could not be discussed by our representatives. I maintain they could. Suppose it was necessary to discuss the question of granting protection to young workmen. How could you discuss that without referring to the employment of adults? Then there is the question of the entire interdiction of work on Sundays. How would it be possible in such a question not to discuss the interdiction of work of certain kinds on other days. If it is necessary to discuss these questions incidentally, our representatives are not forbidden to discuss them, and they must discuss them. If I thought the Government had precluded our representatives from arguing these questions in case they came up incidentally, I would vote against them,

but I do not consider the Government have taken up that position. One of the questions our representatives should not be instructed to discuss is the proposal to limit the production in our factories to suit the views of foreigners. I think our Government would have failed in their duty to our workmen had they allowed this to be considered an open question.

*MR. BROADHURST (Nottingham, West): I interpose in the debate because of the references which have been made to the Votes of Trade Congresses on the eight hours' question. It is perfectly true a vote was taken and reported upon at the last Congress, but it was so very inconclusive, that it was resolved to take another vote this year. The Vote is not yet complete, and the decision of the trades cannot be known until September next. The hon. Member for North-West Lanarkshire (Mr. Cuninghame Graham) quoted the decisions arrived at by one or two trades. It is possible that some hon. Members may infer from the hon. Member's remarks that the trades of the country, as a whole, have decided in favour of one line of action. The hon. Gentleman gave certain figures—400 or 500 as voting for eight hours, as against a lesser number against eight hours. The hon. Gentleman ought to have completed his statement, by saying what were the total memberships of the Trades Unions he referred to. I have in my mind one Society with more than 10,000 members. 350 of these have voted for an Eight Hours Bill, and, I think, 150 against. Only 500 members of the body take a sufficient interest in the subject to vote one way or the other. Another reason why I interpose is that I desire to say why I shall take no part in the decision upon this question. Holding the official position I do in connection with the Trades Unions of the United Kingdom, I think it is well I should make no public statement as to my views on this subject, while it is under the consideration of the trades, in order that I may be free from the charge of wishing to bias any of the trades societies in any vote they may ultimately take. A second reason for abstaining to take any part in the decision is because the result of last week's debate of the Parliamentary Committee, of which I am Secretary, was one which, perhaps, I may best interpret by not voting on the present occasion. I have only one more word to add. I hope I have expressed no opinion for or against the Eight Hours Bill. In conclusion, let me request that the Government will issue the Report in the language with which we are best acquainted, and not issue a Paper which deeply concerns the labouring classes of the country in a foreign language.

CAPTAIN BETHELL (Yorkshire, E.R., Holderness): I think the speech of my hon. Friend the Member for North-West Lanark (Mr. Cuninghame Graham) has been a great deal misunderstood. I submit that my hon. Friend cast no improper imputation upon the right hon. Gentleman the Member for Newcastle (Mr. J. Morley). As I understood, he gave great credit to the right hon. Gentleman for the line he took in connection with the subject before the House, but he said that the right hon. Gentleman afterwards had reason to see from the action taken by his constituents, that his conduct was not so much in accordance with their views as he had before supposed. I wish the right hon. Gentleman to remember that my hon. Friend embraces the doctrine, that a Member is rather a delegate than a representative, and therefore from his point of view, he was surely imputing no improper motives to the right hon. Gentleman when he said that the right hon. Gentleman had reason to change his position. I am entirely, and strongly, and emphatically opposed to the views of the Member for N.W. Lanark on this subject, but I think it right to make this explanation on his behalf, although I do so without communicating with him.

MR. COURTNEY (Cornwall, Bodmin): I shall not trouble the House more than a very few minutes, and I shall not enter into the question which the hon. and gallant Gentleman has foreshadowed in his remarks. But I venture to ask the attention of the House for a few moments, because I have the ill-fortune to differ more or less from everyone who has already spoken upon this question. I am not one of those who regard legislative proposals respecting the hours of adult male labour as absolutely without the sphere of political thought. It would be foolish for any-

one to hold that opinion, in face of existing circumstances. I do not accept the view of the President of the Local Government Board, that my right hon. Friend behind me (Mr. Morley) entered upon an idle suggestion when he passed from the question of regulating the hours of labour to the question of Sunday observance. If you could get such a moral unanimity as to eight hours' labour per day being the regulation of a workman's life—such moral unanimity, for instance, as you have with respect to the observance of Sunday,—you would go a very long way indeed towards establishing the condition of things you seek, and might, under a legislative Act, bind together the opinions which have grown up in the community, and give them a practical and real personal character. But that involves a reflex action in the life of the working man himself, of which it appears the hon. Gentleman the Member for N. W. Lanark (Mr. Cuninghame Graham), still has not the most distant dream. It would re-act probably in the first place on the wages of labour, and then it would re-act on the conditions of celibacy and marriage. I do not attach a great deal of importance to the views of the Government or of other Members of the House, who think that this is a matter which involves what is called socialistic legislation. I do not think that the realization of this object would involve anything of the kind. It may be very far away, it may be a dream; but all the same, it is a possibility of the future, which, at all events, we may entertain in our dreams. It is something to contemplate as a possibility, but I entirely concur with the hon. Member for Deptford (Mr. Darling) in repudiating the second subject talked about—namely, the restriction of output, as a thing wholly inconceivable in any scheme of social polity, and wholly inconceivable in the interests of the working classes. That being the position which I entertain with regard to the question and the dispute, the practical question arises, the Government being invited to join in the Conference at Berne upon certain propositions with respect to what may be called the organization of labour, and especially with respect to six propositions, whether they were justified by precedent or by the reason of the thing, whilst giving their assent to the Conference on these six points, in instructing their Representatives at the Conference not to discuss these other points. I confess I do hold that the Government are entirely justified in the course they have taken. They are acting in strict accordance with the conduct of previous Governments, and in accordance with what is required from Governments. I distinguish very much between a Conference of the Representatives of the Powers and what is called an International Conference to discuss certain questions which may be summoned, and which is summoned year after year. They discuss these questions with perfect freedom, and there are representatives there of the different societies who more or less express the opinions which may be entertained by the members of the societies they represent. In a Conference of that kind I say there is the greatest freedom. There is no immediate implication of persons outside the Conference in what takes place—at all events, they have a freedom from responsibility which cannot be predicated of a conference of the Representatives of governing Powers. The Representatives of governing Powers called together in Conference, are called together for some practical results; but I agree with my hon. Friend the Member for Northampton that any conclusion arrived at would not bind any Power represented at the Conference. Still, they are to arrive at conclusions which will be considered by each Power represented, with a view to its being embodied in the legislation of each country. These are the intended conclusions on the six points enumerated, and which are intended to form the basis of projects of legislation to be considered by each Government who sends a Representative to the Conference; and it appears very necessary in such a case that the Government who sends Representatives to the Conference should consider the possibility of their accepting any particular course with respect to any particular subject as a possible basis of legislation. If they are not prepared to accept any of these conclusions on any of these points with a view to legislation then on any particular subject they are justified in saying, our Representative cannot enter into discussion. My right hon. Friend the Member for Newcastle,

who holds much more strongly than I do the opinion that these things could not be considered with a view to a basis of legislation, will see that it is impossible therefore to allow the Representatives of this country to engage in the discussion of a formal project, which would have to be considered and brought here with a view to legislation. That appears to be a reasonable deduction from the position as put forward in the State Paper emanating from Switzerland, and to which the reply of Lord Salisbury has been sent. That entirely agrees with what has been done at many successive Conferences. I think I remember that Conferences were called over and over again by Napoleon III. with respect to the state of Europe, and as to certain alterations of boundaries which might happen in consequence of the debates and decisions of such Conferences, and I think the representative of this country was specially engaged to hold himself free from any discussion which would result in any such suggestion. I am quite certain that with respect to another matter that has been referred to quite incidentally by the hon. Member for Deptford—with respect to the Sugar Duties Conference—there were many Conferences on the subject, and it was made a condition at more than one of the first Sugar Duties Conferences, that if any question arose as to the imposition of counter availing duties, our representative was to refrain from the discussion precisely because whatever agreement was come to in respect of the subject would have to be brought here, and the Government here could not look upon it as the positive basis of legislation. Well, that is the situation here. Our representative is instructed to engage in the discussion on these six points, but in reference to the other points which the Government do not regard as at present the possible basis of legislation, the representative is instructed that he is not to engage in any discussion which may result in a proposition which would have to be considered as an invitation to legislation. I think the Government is entirely warranted in the line they have taken. I do not understand my hon. Friend who spoke just now to be right in his view that our Government is to withdraw the moment that subject is raised. I think the hon. Member for Deptford was right in supposing that our delegate would not necessarily be silent on such a question, for our representative having command of valuable materials, drawn from our own experience, would not be entirely warranted in doing so. But the moment a question arises as to a discussion where international agreement would be involved as a basis for action in the different countries on the part of different Governments, then he will withdraw and say, "I have no mandate from my Government, which is not prepared for legislative action; and as it is not prepared for legislative action I am not prepared for discussion." The action of the Government appears to me, as I have said, entirely in accordance with precedent. It appears to me to be prudent, and I feel bound to vote against those who regard this matter as one of urgent public importance, and I must decline to go into the Lobby with them.

MR. T. P. O'CONNOR (Liverpool, Scotland): I am extremely sorry that the extremely rational premisses, which the right hon. Gentleman laid down, have not led him to a rational conclusion. He spoke of the possibility of moral unanimity in this country with regard to the question of eight hours a day. I assume that the right hon. Gentleman would consider with me that if that moral unanimity could be obtained without legislation it would not be in itself an undesirable thing, in fact that it would be a highly desirable thing. One of the great obstacles to the reduction of the hours of labour is the enormous number of hours of labour in other countries; and until that obstacle is removed I think my hon. Friend (Mr. C. Graham) will find considerable difficulty in carrying out some of his views. The enormous length of the hours of labour in Continental countries, together with the small amount of wages paid, give such advantages in competition with this country as to make the reduction of the hours of labour here a matter of considerable difficulty. I put this question to the Chairman of Ways and Means: If the Conference would agree to a resolution of moral unanimity as to the eight hours' day for labour in Germany and France, are not we, who are in favour of a similar reduction in England, to welcome such an expression of opinion on the part of the Conference? And I would like to know

what possible harm there can be in a discussion, when we are safe-guarded from even a Resolution embodying the views of the Conference in reference to legislation. I think the Government have done a most unwise thing for the interests of this country. I have pointed out the obstacle that foreign hours of labour and competition are to a reduction of hours in this country, and does any Member of this House deny that large portions of our population are suffering from overwork? I think my hon. Friend for North-West Lanarkshire considerably damaged his own case by the probably unintentional slights cast upon my right hon. Friend the Member for Newcastle. I would observe to my hon. Friend that the outspoken criticism of those who do not agree with him is a great deal better for any cause than the lip service of hypocritical persons. I am sure my right hon. Friend in place of estranging from himself the feelings and affections of the working men of this country has only entitled himself to greater admiration and respect by the manly courage with which he has expressed his views on this matter. No doubt many portions of our populations suffer from overwork. Do not tram men and railway servants not suffer? I ask the Chairman of Ways and Means whether our hands would not be greatly strengthened in reducing these excessive hours, if there was a resolution from this Convention pledging the people of Germany and France as well as of England to a declaration in favour of the reduction of the hours of labour. This social question is one which cannot be avoided much longer. The Under Secretary for Foreign Affairs represents free institutions and perfectly open combination among our working men. In Germany that free combination does not exist, but the Emperor of Germany has pledged himself over and over again in public addresses, that the Social question is the question which the Government will have to consider. And the obstacle to open discussion and perhaps a most useful discussion in favour of a reduction of the hours if labour, comes not from a despotic Government of the Continent, but from a representative of democratic institutions.

*MR. DE LISLE (Mid Leicestershire): I am very glad to find that I am able to be very brief in the remarks I beg leave to offer to the House, because I almost entirely agree with what fell from the Chairman of Committees. I think it would not be wise or expedient to extend the programme to be discussed at the Conference at Berne. On the other hand I certainly do feel much sympathy with the ulterior objects which are foreshadowed in the letter to the President of the Swiss Confederation, especially that paragraph which was animadverted upon by my right hon. Friend the Under Secretary for Foreign Affairs. That paragraph expresses the opinion that it is not merely the welfare of the labouring classes on which legislation is demanded but rather a Social question which is to be taken into consideration, with a view to a well organized endeavour to restore to more natural conditions the industrial occupations and the habits of life of the town populations of the civilized world. These are my views, and the concluding paragraph of the despatch of the Marquess of Salisbury appears to me at the present moment most right and opportune, and, therefore, I am able most cordially to support the Government with this reservation, that I do look forward to see in the very near future the date approaching when these foreshadowings will be practically discussed, for I hold that the present long night hours of labour are destructive not only to the health but to the physique of the nation. I believe that public opinion in these islands and in other civilized countries will come to the view that as production becomes more easy it will be proper to limit the hours of the working of engines and machinery as well as of men, and that neither should be worked during eight hours at night. Machinery and factories ought, metaphorically, to go to bed for eight hours out of the 24, just as we do. That, of course, would ultimately bring about a restriction of output, but I think better results are likely to be achieved by restricting the hours of machinery than by restricting the individual liberty of the labourer or artizan. In the present condition of society the power of capital has been abnormally exaggerated, while the power of the individual has been minimized. His health and working capacity is the working man's only capital. This is quickly and unfairly exhausted by

night labour. While cordially supporting Her Majesty's Government, I believe the subject of restricting the hours of labour through the night will be discussed at some future day, and that the people will be glad to see a consensus of opinion arise which shall dedicate, so far as factories at least are concerned, eight hours of the night to sleep and rest, as religiously as the Christian instincts of this country have preserved to us the one-day-in-seven rest—the healthy, the homely, the holy English Sunday.

*Mr. W. ABRAHAM (Glamorgan): I rise not for the purpose of censuring the Government, but with the view of appealing to them if possible to change their opinion in this matter, and to untie the hands of the gentleman that now are tied, and to open his lips and his ears to the discussion of the questions that will be brought before the Conference. I am not prepared to enter into the merits of this matter nor to go to the root of it, still I would be untrue to the men I represent here did I not explain to the House their opinions on this matter. As one of the representatives of the miners in the county from which I come from I attended a meeting at which 75,000 miners were represented by 150 or 155 men who were unanimously in favour of reducing the hours of labour, especially those of miners, to eight per day in this country. It is well known that the "bogey" of foreign competition is invariably brought forward were we have had to deal with employers of labour who are against advancing wages or reducing the hours of labour. The working people of this country were in hopes when they knew that this Conference was to take place that their opinions would be made known through the Representatives of the Government to other nations. It is well known that the working people in other nations look up to those of this country whom they set before themselves as examples to be followed in regard to the question of wages as well as the question of hours. The position already obtained by the workmen of the United Kingdom is such as foreign workmen make it their constant endeavour to reach; and if we are unable to carry it further all the aspirations of our own people will be disappointed and all the efforts made by the working classes in foreign countries will be discouraged. I think we have a right to ask the Government to change its opinion on this matter. We are told that if the trades of this country choose to limit the hours of labour they can do so without legislative interference; but unfortunately our experience has been otherwise, especially on the question of overtime, in regard to which we have entirely failed. I am sorry to be obliged to admit to this House that Trades Unions, powerful as they are in this country, have entirely failed to put an end to overtime; and it has been shown that they are not able to change the skin of the Ethiopian nor the spots of the leopard with regard to age of our fellow workmen. The consequence is that we find that the good of the many is being sacrificed to the greed of the few. I should like to call the attention of the Government to the fact that the argument generally against the interference of the Legislature in these matters has no force when the assistance given is such that while it benefits the individual by stimulating industry and promoting hope, it also confers great advantage on the public at large without creating competition with their neighbours. If by legislation we can succeed in reducing the hours of labour and put down overtime we shall prevent the evils arising from our people competing one with another and will be able to give them work all around. This country is already mulct to the tune of £10,000,000 per annum in the cost of supporting its pauper population in idleness, and it is stated that charity adds another ten. Surely it would be much better to spend this money in enabling the pauper population to become an independent, self-supporting, wealth creating, and industrious portion of the community. What we want is, to do away, if we possibly can, with overtime, and to reduce the hours of labour, especially on the part of the miners of this country. The hours now worked are at present far too long, and although this House does not seem to be quite in touch with the proposal, I would remind hon. Members that the Chancellor of the Exchequer once said, it appeared to him that political economy had been destroyed in that House, and that philanthropy had been allowed to take

its place, political economy being the bugbear of the working classes and philanthropy their salvation. On this question the House to-day leans to another view of the case, and certainly does not seem to be in great sympathy with the working classes, otherwise it would come to the rescue and reduce the hours of labour.

The House divided:—Ayes 124; Noes 189.—(Div. List, No. 153.)

UNIVERSITIES (SCOTLAND) [GRANT, &c.]

Resolution reported.

"That it is expedient to authorise a Grant out of the Consolidated Fund to the Scottish University Commissioners, to be applied for the purposes of the Universities under any Act of the present Session for the better Administration and Endowment of the Universities of Scotland; and also the payment, out of moneys to be provided by Parliament, of remuneration to the secretary, clerks, and officers appointed, and of all expenses incurred under the provisions of the said Act."

Resolution agreed to.

SECRETARY FOR SCOTLAND BILL [LORDS] (No. 249.)

Considered in Committee and reported, without Amendment; Bill to be read the third time on Thursday next.

BANN DRAINAGE BILL (No. 257).

Order read for resuming Adjourned Debate on Question [24th June]:

"That the Bill be committed to a Select Committee of Nine Members, Five to be nominated by the House and Four by the Committee of Selection."—(*Mr. Arthur Balfour.*)

Question again proposed.

MR. STOREY (Sunderland): As I understand, this Bill, when relegated to the Committee to which it is proposed to refer it, will be entirely removed from the purview of the whole House.

*MR. A. J. BALFOUR: The fact of the Bill being sent for consideration to a Select Committee will not remove the necessity of its coming before the whole House.

MR. STOREY: I took the opportunity of consulting a high authority on the question before deciding on taking the course I now propose.

*MR. SPEAKER: I would point out to the hon. Gentleman that after the Bill has been considered by the Select Committee it will come back to the whole House.

MR. STOREY: Then, although I have strong and serious objections to the Bill, I do not think I will, under the circumstances, put the House to the trouble of a division at the present stage of the measure. Of course, in saying this I understand that after the hybrid Committee has dealt with the Bill we shall be in the same position as if it had not been so dealt with.

MR. T. P. O'CONNOR: I only desire to say that in my opinion a measure like this does more injury to those whom it proposes to subsidize than upon those who have to contribute the funds.

Question put, and agreed to.

Bill committeed to a Select Committee of Nine Members, Five to be nominated by the House and Four by the Committee of Selection.

Ordered, That all Petitions against the Bill presented two clear days before the meeting of the Committee be referred to the Committee; that the Petitioners praying to be heard by themselves, their Counsel, or Agents, be heard against this Bill, and Counsel heard in support of the Bill.

Ordered, That the Committee have power to send for persons, papers, and records.

Ordered, That Three be the quorum.—(*Mr. Arthur Balfour.*)

UNIVERSITIES SCOTLAND BILL (No. 137.)

Order for Committee read.

*MR. W. A. HUNTER (Aberdeen, N.): In moving the Amendment which stands in my name, I do not intend to detain the House at any length, as I have already addressed the House on the same matter in reference to another Bill which was discussed only a short time ago. I think, however, that we should not allow this opportunity to pass without making a practical protest in the sense of this Resolution, because if there ever was a measure that ought to be sent to a Committee of the kind suggested it is the one now before the House. The subject moreover is one that is not understood by those who belong to other parts of the kingdom than Scotland, so that it will be generally admitted that it would only be a proper step to send the Bill to such a Committee

as is provided for in my motion. I shall now be content to rely on what was said on the previous occasion, and will merely move the Resolution which stands in my name.

Motion made, and Question proposed:

"That the Order for Committee be discharged.

"That the Bill be committed to a Select Committee composed of Scottish representatives and Thirty other Members to be nominated by the Committee of Selection.

"That the provisions of Standing Order 50 shall apply to all Bills reported by the said Committee."

*THE LORD ADVOCATE (Mr. J. P. B. ROBERTSON, Bute): I gather from what the hon. Gentleman has just said, that it is not intended to press this Motion on the House as a matter of great urgency. I quite recognize that the hon. Gentleman feels the necessity of entering his protest with regard to a Bill which he considers one of so much importance, and which is of very great importance in the view of the whole House. At the same time, I must say I think the Bill is not of that complexity or speciality which required the detailed investigation of a special Committee. In referring the measure to a Committee of the whole House, I think it will be found that it was not necessary to resort to such an expedient as the kind of Committee the hon. Gentleman proposes, in order to bring to a high degree of perfection a Bill which I hope will pass through Committee without material modification.

The House divided:—Ayes 69; Noes 5.—(Div. List, No. 154.)

*MR. W. A. HUNTER: I wish, Sir, to ask if it is competent for any Member to move the instruction standing in the name of the hon. Member for Dundee, who is not in his place. Otherwise we shall be placed in a difficult position, for unless the instruction is moved we shall not be able to make certain Amendments of the Bill in Committee. I wish, therefore, to move the instruction.

*MR. SPEAKER: Order, order! It is not competent for the hon. Member to move the instruction standing in the name of the hon. Member for Dundee.

Bill considered in Committee.

(In the Committee.)

Clauses 1 and 2 agreed to.

Clause 3.

MR. W. A. HUNTER: I wish to direct the attention of the Lord Advocate to the desirability of postponing this, the Definition Clause, till the end of the Bill is reached. I think it is usual in Acts of Parliament to take the Definition Clause at the end. I shall have to deal with a difficulty which arises as to the definition of the words "Universities Committee," and, as I think some modification is necessary on this point, I would suggest it would be convenient to take the Definition Clause last.

Amendment proposed, "That this clause be postponed until the other clauses in the Bill have been considered."

*MR. J. P. B. ROBERTSON: I should, of course, be glad to take any course which would further the object which the hon. Member has in view. But I would point out that Clause 9 is the clause which constitutes the University Committee. The right hon. Gentleman the Member for Leeds has a competing proposal on that clause, which the Committee will have to decide upon, so I think there is no need to postpone this clause.

Amendment, by leave, withdrawn.

MR. HUNTER: I have now a small matter which I hope the Lord Advocate will see his way to deal with in the manner suggested in my Amendment. It has reference to the definition of the word "college." The clause provides that this shall mean any institution established on a permanent footing for the purpose of teaching the higher branches of education. I submit that that is sufficient, but in the clause as it now stands the words are added—

"And which shall be sufficiently endowed in the opinion of the Commissioners, and, after the expiry of their powers, of the University Committee."

I hold that those words are quite unnecessary, because if an institution is of a permanent character, it ought to satisfy the Government, and the retention of the further words as to a sufficient endowment might lead to a considerable difficulty.

Amendment proposed, Clause 3, page 2, line 9, leave out from "which," to end of sentence.

*MR. J. P. B. ROBERTSON: I think the hon. and learned Member for Aberdeen will not dissent from the view which I have already expressed that it is desirable we should not encumber the existing Universities with affiliated colleges, which would be a drain on their already too narrowed resources. I think the clause as drawn will best secure that end.

Amendment, by leave, withdrawn.

Clauses 3 and 4 agreed to.

Clause 5.

Amendment proposed, Clause 5, page 2, after line 31, insert:—

(c.) The principal of St. Mary's College, and the principal of University College, Dundee, if and when the said college shall be affiliated to and made to form part of the University. (*The Lord Advocate.*)

*MR. J. B. BALFOUR (Clackmannan): I desire to ask the attention of the Lord Advocate to the phraseology of this clause. It provides that the Principal of the United College, the Principal of St. Mary's College, and the Principal of the University College, Dundee, if and when the said college shall be affiliated to and made to form part of the University, shall be members of the University Court. It was, I think, recommended by the Royal Commission that there should be but one Principal for the two colleges, and in the series of Bills, introduced both by Liberal and Conservative Governments, there has been a proposal to empower the Commission to incorporate the various colleges of the University of St. Andrew's. I would suggest whether the phraseology of this addition proposed to be made to the clause is not inconsistent with the practicability of that scheme being carried out. With respect to the University of Dundee, while it has so eminent a principal as it now has, it is natural he should be a member of this Court. But it may be well worth considering if it would not be better to leave greater elasticity in the choice of a representative, and if that view should find favour with the Committee of that College the object sought might be secured by the next Amendment on the Paper, which is in the following terms:

"The head of each College presently existing in the University, and an assessor elected by the governors of University College, Dundee, if and when the said College shall be incorporated therewith."

I think it would be wiser to give a larger amount of latitude in the selection of a representative.

*MR. J. P. B. ROBERTSON: I think the question of free choice stands somewhat apart from that of efficient representation. The theory of the Government Amendment is that these three colleges—the United College, St. Mary's College, and the University College, Dundee—should each have its Principal sitting on the University Board as a right, and I should deprecate the putting of the University College, Dundee, upon a different footing from its elder sisters. I have carefully considered the matter, and I think the course which the Government have taken will best conduce to the creation of an efficient and representative Court. I should like to add that the proposal to incorporate and fuse the two colleges is now out of date. It was contained in the recommendation of the Universities' Commission of 1878, but that was before University College, Dundee, had risen to its present importance.

DR. CLARK (Caithness): Let me point out that you will if this is carried have this condition of things. The principals of the affiliated colleges connected with the University of St. Andrew's will each have a right to a seat in the University Court, while the heads of other colleges affiliated with the Universities of Edinburgh, Glasgow, and Aberdeen will not be members of the Court. I think there ought to be uniformity in this matter. Why should you make an exception in the case of St. Andrew's?

*MR. J. P. B. ROBERTSON: The position of St. Andrew's University of the last few years has been a very peculiar one. We must draw the line somewhere so as to prevent the addition of an indefinite number of members to the University Court.

*SIR LYON PLAYFAIR (Leeds, S): I agree with the Lord Advocate that the position of St. Andrew's is unique in Scotland. Dundee College is extremely well equipped in various branches of science as well as in medicine. It has also a function to perform as a technical college. None of the other colleges in Scotland so far as I know have at all the position of this

college, and it is therefore right under the circumstances to give it a particular measure of favour in the Bill.

Amendment put and agreed to.

SIR GEORGE CAMPBELL (Kirkcaldy): I did not desire to take any considerable part in the discussion of the academical portion of the Bill, but I want very much to press upon the House the importance of the introduction of what I may call the lay element into the government of Universities. In my opinion, there is nothing so bad for education or for the management of these institutions as that they should be controlled entirely by academic people, who are sometimes the most conservative and sometimes the most reactionary people in the country. I attribute much of our backwardness in educational matters to the fact that academical people manage their own affairs without lay assistance. I not only wish to have a strong lay element, but I also wish to have a local element, and I hope the day will come when local funds will be contributed for the purpose of improving higher education in Scotland. Allusion has been made to the Zurich school, to which people flock from all parts of Europe. Now, that is a local school, established, equipped, and maintained in a small town, the population of which is less than that of many of our towns in Scotland. I know that there is a great disposition on the part of modern academicians to poohpooh the idea of management by a Town Council, and they say that the Edinburgh Town Council is not fit to manage a great academic institution. But the fact is that in the Middle Ages the City of Edinburgh did exactly what the Canton of Zurich is doing in these days. They established a great school, which was so successful that all Europe flocked to it, and up to the beginning of the present century the school was a most famous school, and many great men attended it. Now, that was a school locally established for the city of Edinburgh. It may be said of it now that it has outgrown the capacities of its mother and cannot properly have its management entrusted exclusively to the Town Council of Edinburgh. Still the Council retains some share in its management, although I think that share ought to be more extensive. Now, the Government are also extending this principle to the Universities of Glasgow and Aberdeen, and I wish to see them in addition introduce the lay element in the case of the University of St. Andrew's. That is not a large city, but it is an ideal place of education; it is a city of culture, and I do not see why it should not be represented in the University Court. I want to bring into the management of the Universities the popular voice and popular ideas, and I say that the more you introduce of this lay element the more you will break down that academical conservatism which is responsible for Scotland being lagged behind other countries in the matter of education. I do not propose to hand over the management of the Universities to the Town Councils, I only ask that those bodies should be represented in the University Courts, and the concession I am seeking is not a very large one. And there are special reasons why this should be done in the case of St. Andrew's, for there University life is very much mixed up with local life, and it would be a great advantage if the University management were brought into closer touch with the administration of the town. St. Andrew's, too, is a town which abounds in schools, in the management of which the Local Authorities have a large share, and I think it would be well for those who represent these schools to also be represented on the management of the University. I therefore hope that the Amendment will be accepted.

Amendment proposed, at the end of last Amendment to insert the words

"(c) An assessor nominated by the Provost, Magistrates, and Town Council of St. Andrew's."—(*Sir George Campbell.*)

Question proposed, "That those words be there inserted."

*THE SOLICITOR GENERAL FOR SCOTLAND (Mr. MOIR T. STORMONTH DARLING, Edinburgh and St. Andrew's Universities): The hon. Gentleman has said that St. Andrew's is an ideal place of education. There I perfectly agree with him, and I rather think it is chiefly because the town is small. St. Andrew's stands distinguished in that respect from all the University seats of Scotland, and that, I think, affords some indication of the reasons which have influenced the Government in not including a repre-

sentative of the municipality in the University Court of St. Andrew's. The hon. Member knows very well that the position of Edinburgh is quite peculiar. The connection between the Municipality and the University is an old one, and an honourable one to the Municipality; and the size and importance of Glasgow and Aberdeen seem to make it proper to include the Lord Provosts of those cities in the University Courts. It is otherwise with St. Andrew's.

*MR. ANSTRUTHER (St. Andrew's Burghs): I am not at all sorry that the Amendment I have put on the Paper should have received the additional advantage of being moved by my hon. Friend (Sir G. Campbell), and I hope the Government will see their way to concede this small point. No doubt the Lord Advocate feels that if he gives way on this Amendment he will have to give way on all the Amendments which have for their object the extension of popular representation on the University Courts. Let me point out, however, that the Amendment, of which I have given notice, would merely have the effect of putting St. Andrew's upon the same footing as the other University cities of Scotland. The first Amendment of the hon. Member for Kirkcaldy (Sir G. Campbell) drew, I thought, too hard and fast a line, and, therefore, I though it a wiser and perhaps a more moderate demand to ask the Government to accede to my request—that there should be a municipal representative nominated by the Town Council, though not necessarily one of their own number. I do not maintain that St. Andrew's is in the same position as Glasgow and Aberdeen; and I acknowledge the argument of the Solicitor General that the previous connection which has existed between the Municipality of Edinburgh and the Edinburgh University draws a distinction in that case in which it offers from the case of St. Andrew's. At the same time I would remind the Solicitor General that the Municipality of Edinburgh is to have two representatives, whereas the other Municipalities are only to have one, and I only ask that St. Andrew's should be placed in the same position.

MR. E. ROBERTSON (Dundee): I do not think the Solicitor General has given a very conclusive reason why this Amendment should not be adopted. The hon. and learned Gentleman says that the City of St. Andrew's is small. As a set-off against that we may say that the University of St. Andrew's is a very small one. I prefer the original form of the Amendment to the present. By the Amendment in its original form we should not only interest the lay element in the University, but *pro tanto* add somewhat to the dignity of the Chief Magistrate of the City. I am in favour of the Amendment, because I believe that the City of St. Andrew's has a very important interest in the University, even more than Edinburgh and Aberdeen have in their Universities, and also because I have an eye to another Amendment on the Paper to allow the Lord Provost, Magistrates, and Town Council of Dundee, to elect a representative to St. Andrews University Court. I do not think the Government will be acting wisely if they persist in refusing this very small concession.

*MR. WALLACE (Edinburgh, E.): I do not think the Solicitor General for Scotland has put this matter upon the right ground. The only valid ground is the utilitarian one, that it will be useful to the Court of the University, and to the University itself through the Court, to have representation upon it of popular feeling. The best representatives we can get are those who have been selected by the people themselves to manage their affairs. If, because of the smallness of St. Andrews, it happens that the Lord Provost is sometimes a very efficient representative, that would seem to be rather an argument for giving the Town Council the right to send two representatives than for taking away one. It is unfair to describe the representatives of the people as uneducated. They may be uneducated as regards specialisms, but they are not uneducated as regards what is best for popular education. They are really practical men whose opinion is of immense value.

*SIR L. PLAYFAIR (Leeds, S.): As an old graduate of St. Andrews, and for long its representative, I have a word to say. The Solicitor General said there was nothing in the traditions of the Provosts of St. Andrews to justify any addition to the University Court from the municipality. I differ from him in that. I will recall to his recollection that there was quite a Napoleon of Provost, who bore the same name as

I do myself. He was long Provost of St. Andrews, and under his active reign the new University buildings were created. He was instrumental in introducing various useful reforms into the schools of the city as well as the University. If there was once a Provost like this there may be again. I think it is very desirable to interest the Civic Authorities in the prosperity of the University, and for that purpose I intend to support the Amendment.

DR. CLARK: I hope the Government will, if they persist in their opposition to the Amendment, give some practical reasons why St. Andrews should be treated differently from the other University cities.

*MR. J. P. B. ROBERTSON: The principal reasons have been given by the Solicitor General. It is well-known that the Lord Provosts of Glasgow or Aberdeen are invariably men of prominence and position, representing a large variety of interests, and are, besides, good business men, whose presence on such a Board as the University Court is valuable. Without implying the smallest disparagement to the Town Council of St. Andrews, I cannot say the same with reference to that body. It would have been agreeable to the Government to have given way in favour of St. Andrews in this respect, but all the considerations point in the other direction.

SIR G. TREVELYAN: I should like to point out that the Amendment provides that an assessor should represent the Town Council, and that being the case there is no doubt the best man would be found—a man of practical good sense, and probably with the highest education and the greatest interest in education that the locality could muster. It is extremely important to have at least one representative of the town where an educational institution is situated on the governing body of that institution, for a good feeling between the University and the town would be thus maintained.

*MR. W. A. HUNTER: The Lord Advocate has not sufficiently distinguished between the two Amendments. The objections which he has raised are, no doubt, pertinent to the first Amendment suggested—namely, that the Lord Provost of St. Andrews should be an *ex officio* member of the Court. It is quite possible there might be occasions on which the Lord Provost might not be the best possible man for such an office; but I think the suggestion that the whole Town Council should have power to nominate an assessor rests upon an entirely different basis.

*MR. C. S. PARKER (Perth): I should be the last person to wish to introduce in the University Council a non-educational element which would be embarrassing to them; but I think there is a great deal in the argument that it is not necessarily the Provost of St. Andrews who is to be a member of the Court. The proposal is that a representative be nominated by the Town Council. It is probable that the Town Council would take pains to find one who would be of assistance to the Court. Remembering how closely the Universities of Scotland are connected with popular education, I think it would be safe, on the whole, that we should have a representative nominated in the way suggested.

*MR. CAMPBELL-BANNERMAN (Stirling Burghs): There is a great deal of force in what the Lord Advocate said regarding the position of public officials—such as the Lord Provosts of Glasgow, Edinburgh, and Aberdeen. He is right in saying that such persons are generally men of business capacity, and of important position in the localities. But let us recognise what we are doing in this matter. We are practically constituting St. Andrews a University for Dundee also. In Dundee we have one of the four largest town in Scotland, and therefore we have a Lord Provost ready to hand, and analagous to the Lord Provosts of Glasgow, Aberdeen, or Edinburgh. We might get rid of the difficulty by having two representatives of the municipalities on each of the University Courts. Under that arrangement, while it would be better that in the case of St. Andrews the Town Council of that town should be represented by an Assessor rather than by the Provost, the Lord Provost of Dundee might be the second municipal representative for the University of St. Andrews.

MR. CALDWELL (Glasgow, St. Rollox): I hope the Government will see their way to accept this Amendment. I approve of the Amendment, on the ground that the principle of representation extended to Glasgow and Aberdeen should

be given to St. Andrews, with the difference in the latter case that an assessor should be chosen to give strength and dignity to the University.

*MR. CRAIG SELLAR: It appears to me that the only objection to the Amendment is the danger of unduly increasing the number of the Court. If that danger be overcome I do not see why the lay element should not be represented in the case of St. Andrews as in the case of the other Universities.

MR. BRYCE (Aberdeen, S.): With reference to the remarks of the hon. Gentleman, I would remind him that there are Amendments on the Paper by which it is proposed to make the Courts smaller by reducing the number of representatives of the Senatus Academicus and of the General Court.

MR. A. J. BALFOUR: I would point out that St. Andrews will, even if the Amendment is accepted, be placed in an exceptional position, because it is impossible to put a representative of the St. Andrews Town Council on the governing body without having a representative of Dundee as well. This means that, as compared with Aberdeen and Glasgow, it is proposed to give St. Andrews two lay members as against one in the case of the other towns. The Government, though not averse to adding the lay element where it can be added conveniently, are averse to putting two members on this governing body, especially when it is recollected that though St. Andrews University is connected with the town, it is not connected in the same close way as are the Universities of Glasgow or Aberdeen with those towns.

MR. E. ROBERTSON: I hope the Government will pause before pressing this matter to a Division. It will be an unfortunate omen for the future proceedings of the Bill. The Scotch Members, save the Lord Advocate and Solicitor General, are unanimous in supporting the proposal in the Amendment. If the Lord Advocate is going to conduct the Bill in this spirit we have a miserable prospect before us.

The Committee divided:—Ayes 62; Noes 68.—(Div. List, No. 155.)

*MR. HUNTER: I beg to move, in line 31, to insert the Amendment standing in my name. I hope that the Government, having told us, with regard to the last Amendment, that it was too small, will not object to mine on the ground that it is too large. I will discuss this proposition in respect of the Town Council of Dundee. All the members who are suggested as members of the Court form a united whole, and the arguments which support a separate and particular proposition like this necessarily relate to wider topics; and I hope that without violation of the rules of order I may be able on this Motion to indicate the grounds on which I think that, at all events as regards Dundee, the Government should give way. The selection of the persons to form the University Court should very much depend on the work the Court has to do, and the relation of that work to the Senatus Academicus. The powers of the University Court under the Bill will be mainly these—it will be a Court of Appeal for the Senatus Academicus, and to it will be entrusted the appointment of the examiners who are not appointed in any sense hostile to the professors, but who are appointed because it is considered that the professorial examination alone is not sufficient to create public confidence, and, therefore, the examiners are in a sense appointed for the purpose of watching these examinations as representing the public. And I find also that there is ascribed to the University Court the power of granting recognition to individual teachers for the purpose of graduation. So that we find, in respect to these three great powers, the position of the University Court is this—that it is absolutely essential if the Court is to be anything real and valuable in the administration of the University, that it shostld be entirely independent of the profeusorial element. There can be no tasks more difficult or more invidious for the University Court to perform than that in regard to extra-mural teachers. It was a duty which puts them at once in conflict with the interests of the professors. So also as to the appellate power of the Court. It is a mockery to appeal from Philip to Philip, which will be the case if you appeal from a body purely consisting of professors to a body substantially governed in its decisions by the professorial element. Therefore, I think that in order to have a really efficient University Court it is

essential that a larger number of members of the Court than is proposed should be altogether outside academical intrigue and professorial manipulation. I attach no value, comparatively speaking, to a University Court in which the professors are able, directly or indirectly, to carry whatever they please. That is to defeat the primary purpose of the University Court. Now, Sir, as the Bill stands, to any one who is at all acquainted with the practical working of the existing system it is perfectly obvious that the assessors are so selected as practically to put the University Court under the control of the professors. On paper, no doubt, the professors have not a numerical majority; but some of the members of the Court may be relied on to be occasionally absent, and the effective power of the majority is to be estimated not by the number which you can show on paper, but by the numbers you can actually bring to a division. Those absent from the Court are, to all intents and purposes, non-existent. Therefore, in looking through the list we should not have regard to those who are named as members of the Court, but to those who in practice actually attend it. The University Court of Aberdeen at the present moment consists of six members, and frequently it has happened that the principal of the University and his brother-in-law have formed the majority in a Court of four, the principal having a casting vote. Thus the principal and his *alter ego* have on many occasions practically formed the Court in the University of Aberdeen. It is true that, so far as this *alter ego* is concerned, the graduates on a recent occasion took the opportunity of making a change. But that is what we shall be liable to under the Bill as framed; and if you look at the University Court merely from the point of view of academic efficiency, the Lord Advocate will find that a Court which is to be a Court of Appeal, and to exercise functions of a delicate character, frequently hostile to the interests of the professors, cannot be controlled by the professorial element, but must have predominant on it a wider interest than that of the professors. The Bill, as drawn, practically takes no account of the public at all. In the Universities of Glasgow and Aberdeen one person only who may be said to represent the public of Scotland is nominated for the University Court; but the constitution of this Court is characterized by an entire absence of any persons who could be said to represent the general public. Now, I consider that that is a very unfortunate state of things. In the first place, I consider it is bad for the University. It is bad for the University, because when you have got a small close Corporation running in a certain Conservative groove without any impulse from the public outside, it is difficult to obtain anything like reform in the somewhat stagnant waters of the interior. But the University loses a great deal more than that. It loses in popular interest. In spite of a great deal that has been said here, I am confidently of opinion that the people of Scotland take excessively little interest in the Universities. This Bill, which has been described as one for which the people of Scotland would die, has been before the House two years, and I have never received a single letter, or direction, or suggestion, or hint from any one of my constituents in reference to it. Whether it was that they considered that my opinions were so sound that it was unnecessary to fortify them, or whatever may be the reason, I do not know, but at any rate it does not indicate very lively interest in the Universities Bill. The reason so little interest is taken in the Bill in Scotland is, that the Universities have become divorced from the life of the people. They have got out of the running. They have got into an antiquated groove, and it is most important in the interests of the Universities themselves that they should be brought into living contact with the people of Scotland. Now that would benefit the Universities in two ways. In the first place, I think it would benefit them in a pecuniary sense. If you have representatives of the great public bodies members of the Courts they would receive an education in respect of the wants of the Universities; they would receive an education in respect of the work done by the Universities; and as most of these persons will almost inevitably be persons of some position and wealth, I cannot doubt that the effect of introducing such representatives as I propose in this Amendment will be to awaken an interest that at present does

not exist in University work, and to create an appreciation of the work done and a keener criticism of the work not done. I believe, therefore, so far as the Universities are concerned, it would be of the greatest possible advantage to get outsiders introduced into the administration. I am the more emboldened to make the proposition from this fact—that the elections of the rectors and the appointment of their assessors have been the most successful features of the work of the Universities. I joined the University of Aberdeen in the year the new system was introduced, and I have followed very closely what has been done in the matter of the composition of the University Courts. Strange as it may appear, I will venture to say that the element which has been introduced by the students in Aberdeen has been by far the most beneficial. I feel sure, therefore, that the effect of introducing public bodies, such as the Town Council of Dundee, will be on the one hand to promote the benefit of the University, to increase the efficiency of the Court, and, at the same time, to awaken what is very much needed—an interest in the welfare of the University amongst Scotchmen. On the question of the interest Scotchmen take in the University, I think there is no better test than the amount of money contributed. We find in the North of Scotland that it is hopeless to ask people to subscribe to the University. They will not do so unless they see that the money is to be applied in a satisfactory manner. There are many arguments which I must advance in support of the proposition of giving a large share in the University Court to public bodies; but I think I need hardly trouble the Committee with further observations of this kind. I beg to move the Amendment on the Paper.

The Amendment standing in the name of the hon. Member was as follows:—Clause 5, page 2, line 31, after subsection (b.)to insert—

"(c.) An assessor nominated by the Lord Provost, Magistrates, and Town Council of Dundee; (d.) An assessor nominated by the county council of Fife; (e.) An assessor nominated by the county council of Forfar; (f.) An assessor nominated by the county councils of Clackmannan and Kinross; (g.) An assessor nominated by the county council of Kincardine; (h.) An assessor elected by the General Council; (i.) An assessor elected by the Senatus Academicus."

THE CHAIRMAN: I must point out that the Amendment contains a number of distinct propositions, which will have to be put and dealt with separately.

MR. W. A. HUNTER: It is true that the Amendment involves a number of propositions, but I had no intention of treating them as one Amendment; it is a mere matter of the way in which they have been printed. My remarks now are intended to apply to the case of Dundee, and my object is to prevent the professional element being too largely represented. If the Court be looked at from the point of view of efficiency it ought not to be controlled by professional influence, as it has often to act contrary to professional interests. The constitution of the Court is characterized by an entire absence of anybody who can be said to represent the public interests.

THE CHAIRMAN: I shall put the first part of the Amendment marked (c).

Amendment proposed, at the end of the foregoing Amendment, to insert the words—

"(c.) An assessor nominated by the Lord Provost, Magistrates, and Town Council of Dundee."—(*Mr. Hunter.*)

Question proposed, "That those words be there inserted."

*MR. J. P. B. ROBERTSON: It is quite plain that there is one main principle involved in all these Amendments, and that is the introduction of the municipal element. In my opinion it is manifest that we should be wasting time if we were to discuss them in detail; and with regard to the Amendment now before the Committee I can hardly suppose that it is intended to give exclusive representation to the municipality of Dundee when it has been denied in the case of St. Andrews. I am, therefore, under the necessity of resisting a proposal which would give an invidious preference to a town which is not yet associated with a University.

*MR. CAMPBELL-BANNERMAN: For my part, I should prefer that the Lord Provost should himself be a member of the University Court; but I think it most desirable that there should be some representation of the lay feeling of the locality, especially in the case of one of the largest towns in

Scotland, and one of the four great cities of that country. If any town is deserving of representation it is Dundee.

MR. BARCLAY (Forfarshire): The question is whether there is to be popular representation in the University of St. Andrew's, and I hope the Scotch representative generally will not be led to vote against this Amendment in consequence of what has been said by the Lord Advocate. The real question to be decided on this Amendment is whether the public are to be represented in the University Court? It seems remarkable that various bodies not specially interested in the University should have special representation, and that those whose sons are sent there, and who are therefore specially interested in that institution, should have no representation at all. The professors have at least six votes out of the 16, and this preponderance will enable them to resist public opinion in the future as in the past. That probably is the reason why the Universities do not occupy in the public mind the position they held some years ago. I speak more particularly with regard to the north of Scotland. At one time the Universities did provide an education such as would enable men to make their way in the world, but there has since been a great change in this respect, and it is now generally recognized that they do not provide the kind of education which at the present day is necessary for that purpose. If education were really felt to be of the importance it ought to be, and the students found in the Universities the best education they could have to fit them for the battle of life, the people of Scotland would be ready and willing to make sacrifices to provide that education, I would make an appeal to the Leader of the House in this matter to accede to the wishes of the Scotch Representatives in this matter. Ample provision is made for the representation of the graduates, and for my part I fail to see on what ground they are entitled to the representation they get, except so far as their opinions are of value on general questions of education. I also fail to see any valid or sufficient reason for rejecting the proposal now before the Committee, and believe that it would prove of great advantage, particularly in the case of Dundee. I should not desire to tie the Government to any special form of representation, but I do think there ought to be reasonable and adequate representation of the public in the Universities.

MR. E. ROBERTSON: I am greatly disappointed at the action taken by the Government in this matter and surprised at the argument used by the right hon. and learned Gentleman the Lord Advocate. Dundee is the third great city in Scotland, and is certainly entitled to some consideration from the Government. I do not know whether the Lord Rector of St. Andrew's knows the local circumstances sufficiently well to be aware of the fact that Dundee does now and always has supplied the largest group of students to the University. The opening of Dundee College, I believe, has not altered that fact in any degree whatever. I venture to say that Dundee contributes as large a proportion of students to St. Andrew's as Glasgow. But the Lord Advocate scouts the notion of the representation of Dundee on the University Court of St. Andrew's because he says Dundee is not a University city at all. You only propose to make it a University city by this Bill. The University College of Dundee is already admitted to a place in the University Court of St. Andrew's, and I therefore hold that it is illogical to say that because Dundee is not yet a University town it is not to have a representative, yet that the University College of Dundee is to have a representative. I support the appeal to the Leader of the House, whose unfailing courtesy the Scotch Members would be the last not to recognize. He knows the situation in which the Committee is placed. He knows the disastrous division which has just taken place, a division in which took part the entire force of Scotch opinion on the one side, and only the official opinion of the Government on the other, backed by the silent votes of the English Members. Not only that, but three or four of the most stalwart and indefatigable and most unfailing supporters of the right hon. gentleman joined their voices to ours in this case. Let the right hon. gentleman trust to his own sound sense, let him do that which in his heart he wishes to do, and give effect to that which is no destructive movement on our part; let him give bold way to his authority, and let this Amendment be carried without a

division, and do not let him drag his followers into such a disastrous and pitiful victory as that which the Lord Advocate headed on the last occasion.

MR. ESSLEMONT (Aberdeen): I desire that it should be universally known that the Scotch Members join in that appeal to the Government on this point. One of the main advantages of this Bill is that it will bring the large and prosperous city of Dundee into sympathy with the University of St. Andrew's. The Government having said that the Lord Provost of Glasgow shall form part of the constitution of the University, and having done the same with regard to Edinburgh and Aberdeen, I think there is no argument which can be advanced against the prosperous and growing city of Dundee being represented on, and brought into sympathy with the University of St. Andrew's. Why, when no principle is involved, and when the same thing has been conceded to Glasgow, Edinburgh, and Aberdeen, should not the University of St. Andrew's be brought into sympathetic relations to the prosperous city of Dundee by giving its Chief Magistrate or some one else a seat in the University Court? If this is not conceded, I am sure it would be taken as an indication that the Government are determined to resist the popular feeling in regard to the Universities of Scotland. There is no jealousy in the matter. The people all over Scotland concede the principle, and I would appeal to those who have charge of the Bill also to make the concession. I hope the appeal will not be in vain, and that Dundee will not be left in this exceptional and peculiar position, which, I believe, would operate greatly against the interests of the University of St Andrew's.

*MR. D. CRAWFORD (Lanark): I do not think we ought to approach this Amendment in a controversial spirit. The University of St. Andrew's is placed by the Bill in a position peculiar and different from the rest. In the case of the other three Universities, the Chief Magistrate of the town in which each is situated is made a member of the University Court. In the case of St. Andrew's it is not proposed that that shall be so. The Committee have decided, by a small majority, that the Chief Magistrate should not be a member of the University Court. There are certain reasons in favour of such representation which apply to the other large towns which do not apply to St. Andrew's. St. Andrew's is not nearly so large nor so important a municipality, and it is impossible to say that the same proportion of students is drawn from St. Andrew's that is drawn from the other large towns. In that case, it would be natural to look to Dundee, a near neighbour and a feeder of the University, and very suitable to be put in the same position as one of the great towns of Scotland. There is only one objection which requires serious consideration, that the Bill itself creates special relations between the University College of Dundee and the ancient University of St. Andrew's, and if the effect of this Amendment were to duplicate the influence of the University College of Dundee, and to give it an unfair representation, I do not think it would be a reasonable Amendment. Although the case is not without difficulty, I am bound to say my opinion leans to the opposite direction. I do not think that by making the Chief Magistrate of Dundee a member of the University Court you would increase the influence of the University College, and on the other hand it would be of great consequence to the University that the municipality of Dundee should be interested in its welfare. But I think this Amendment would have to be followed by consequential Amendments, reducing the number of the Court and dealing with the question of the representation of country districts. It would probably strengthen the Court of the University of St. Andrew's if the Convener of the County Council of Fife, who would be popularly elected, were a member of the Court also. In voting for this Amendment, I do so with the desire that we should make the Convener of the County Council of Fife a member of the Court, and that we should reduce the number of the Court considerably.

*MR. CRAIG SELLAR: The question is rather one of whether we are to have a municipal assessor at St. Andrew's or not. That question was very fairly raised, stated, and discussed on the last Amendment, and a majority of the Committee decided against appointing this assessor to the St. Andrew's University, to be elected

by the Town Council of St. Andrew's. The Committee having done that, though I regret the decision I cannot see my way to supporting the Amendment, and I shall vote against the Amendment.

*Sir G. TREVELYAN (Bridgeton, Glasgow): I think my hon. Friend behind me throws up the game very easily. On the contrary, it seems to me that the Government have now a very good opportunity of re-considering their position of an hour and a half ago. It is quite true that every Scotch Member, except those on the Government Bench, spoke in favour of the Amendment divided upon, but the Government could not be certain until the division took place, whether they represented the enormous preponderance of Scotch opinion. The division has taken place, and it is quite plain that Scotch opinion is entirely in favour of giving local lay assessor at the very least to the University of St. Andrew's. The Government can now, with a good grace, revise their attitude either on Report or now in Committee. It is quite evident that this is no obstructive Amendment. If the Government repudiate what is the almost universal feeling of Scotch Members, really the measure might as well not have been presented to Parliament at all. As far as the last division is concerned, this Bill is the *ipse dixit* of the Government; and Scotch opinion in the House has nothing whatever to do with it. On this side of the House, there is an eager disposition to get the Bill through. My own intention is to move, with as few words as possible, the Amendments which stand in my name, and if one of them if defeated by a general expression of Scotch opinion, and with the evident approval of the Committee, I shall withdraw all kindred and supplementary Amendments. I think that other hon. Members on this side of the House have a similar intention, but it will be extremely difficult to carry out that intention in face of what appears to be the resolution of the Government to ignore Scotch opinion on matters in which it ought to prevail.

Dr. CLARK: I did hope that the Lord Advocate, when he appealed to Members on this side of the House to assist the Government in getting this Bill through, would have done something himself to shorten the discussion. We have done all we could in that direction; we took a division on a very important question after a debate of less than five minutes, and now on this point, although Scotch opinion is almost all on one side, the Government, with the aid of a few unofficial English Members, intend to go against the Scotch opinions, and they will call to their aid other English Members who know nothing of the subject under discussion, but who will vote as the Whips dictate. If we are to be treated in this way we must meet the Government in the same fashion. I hope that even now the Government may be induced to pay some attention to Scotch opinion, and will allow the municipal element to be introduced into the University Court of St. Andrew's. Of course, if the Government intend to depend upon their purely mechanical majority and persist in ignoring Scotch opinion we cannot help it. So far as I am concerned, all I can say is that I am glad of it, because it will help forward immensely the cause of Home Rule for Scotland. Still, I will even now appeal to the First Lord of the Treasury to intervene and put an end to the present state of affairs.

Mr. BRYCE: With regard to the remarks of my hon. Friend the Member for the Partick Division of Lanarkshire, I may point out that he seemed to think we were precluded from arguing strongly in favour of giving the municipality of Dundee representation in the University Court because we have not given similar representation to the borough of St. Andrew's. But the privilege was refused to St. Andrew's on the ground that the municipality was too small to justify granting it the privilege. But that argument does not apply to Dundee, which, on the score of population, has an equal right with Aberdeen and Glasgow to be represented in the University Court.

*Mr. FIRTH (Dundee): I notice that, although the municipal element is introduced by the Bill in the case of three Universities, it is not granted to St. Andrew's. Now Scotch opinion is to-day unanimously in favour of granting it to St. Andrew's, and I think we cannot possibly have a stronger illustration of the remarkable character of Scotch legislation than is presented by the fact of the Scotch opinion being all on one side, and yet being defeated on a

division. Is there any reason, having regard to the strength St. Andrew's receives from Dundee, why the municipal principle which is applied in Edinburgh, Aberdeen, and Glasgow, should not be extended to St. Andrews? The Government are to be congratulated on having taken up the advanced position of conceding the principle of University representation in three of the Universities, and I submit that in ordinary fairness St. Andrew's should be placed on an equality with them by acceptance of this amendment.

MR. A. J. BALFOUR: I can assure the Committee, on the part of the Government, that we are extremely anxious to meet their views. We frankly admit that the argument has been conducted in a fair spirit. But I wish the Committee would bear in mind the position in which we are placed. The Committee have rejected the proposal that the town of St. Andrew's should be represented on the governing board of the University. The proposal now before the Committee is that the city of Dundee should be granted that representation. But is it possible to reject the principle of municipal representation with respect to the locality in which the mother University is situated, and yet accept it in regard to the city in which one of the colleges is situated. I observe that under the Bill, as it at present stands, there is power granted to the Commission to give representatives to the number of four on the governing body in respect of the affiliated colleges, and if you carry the present Amendment the affiliated College of Dundee will not merely be represented by the four persons selected by the Commission, but it will have in addition the municipal element from Dundee, which would, if associated, be more associated with the affiliated College than with the mother University, I think the Committee will therefore see that it is in no spirit of senseless or blind opposition that we feel we cannot accept the Amendment now under discussion. But I would, on the general question, ask the Committee whether it is wise in unduly emphasizing and exaggerating the question of the local element in University Education in Scotland. I entirely admit that it is desirable wherever it is practicable to introduce the municipal element into the Government of the Universities. But the Scotch Universities are not local institutions; they are institutions to which people come from all parts of Scotland, from England, from Ireland, or from the Continent, and even from America. By all means give municipal representation up to a certain point, but are you really serving the interests of popular representation in University Government by giving an undue porportion of power to the particular locality in which it happens that this great international institution is situated?

MR. CALDWELL: I am surprised that the Chief Secretary for Ireland should have found fault with the representation of local interests, seeing that it is the Government themselves who have introduced the principle as regards the Universities of Edinburgh, Glasgow, and Aberdeen. Now, the population of Aberdeen is 120,000, while the population of Dundee is 160,000, and therefore Aberdeen has no more claim to have its municipality represented in the University Court than has Dundee, which has a considerably larger population. The principle of municipal representation is really the basis of the Government Bill, and by this Amendment we are simply asking to have that principle extended to the University of St Andrew's. It is said that the last decision arrived at by the Committee has prejudged this question, but I cannot agree with that. The objection which was raised to giving the town of St. Andrew's representation on the University Court was that it had a population of only 7,000. Now that objection cannot apply to Dundee. The only other objection which was raised in the case of St. Andrew's was that if you give that town representation you must also give representation to Dundee, and that the University of St. Andrew's would thereby have placed on its governing body a larger proportion of municipal representation than any of the other Scotch Universities. But the Committee have already decided that the town of St. Andrew's shall not have this municipal representation, and therefore the question of duality does not come in now, and we are now only asking that Dundee with its 160,000 inhabitants shall be placed on an equal footing with Aberdeen with its 120,000 inhabitants. Remember that Dundee

represents the East of Scotland as much as Aberdeen represents the North-East. We must also bear in mind the necessity of having regard to the future welfare of the University in bringing students to it. The Lord Advocate told us in his opening speech that the attendances of University students had more than doubled in number since the year 1868. It is quite true that if you take a period of twenty years the attendances have increased, but if you take only the period of the last two years you will find that the number is going back. Now we want to encourage attendance at the Universities. The best way to do that is, I think, to have some link between the great body of the people in particular districts and the University, and that link will be afforded by municipal representation. Now, we have to-day another illustration of the difference between English and Scotch legislation. The English Local Government Bill was hurried through the House on account of the concessions that were made from time to time, but in regard to the Scotch Bills the position is that the Scotch Members find themselves opposed to the Lord Advocate, who is by profession an advocate, and who naturally fights for every inch of his Bill, and will make no concessions whatever. It is the natural result of his training. But I think it is to be regretted that the fate of this Bill should be entirely at the mercy of one man. I am a supporter of the Government, and of their Unionist policy, but I am bound to say that there is a feeling in Scotland, not merely in the Liberal and Radical Party, but also in the Liberal Unionist party, that Scotch opinion is being far too much beaten down by the introduction into the Division Lobby of the Government majority. I think the Government will do well, in matters which really do not involve vital principles, but which are matters of detail that cannot possibly prejudice the administration of the Universities, if they will accept some Amendment which is favoured almost unanimously by Scotch Members, and I therefore appeal to them to accept this Amendment, which I intend to support.

SIR GEORGE CAMPBELL: I do not understand the anxiety of the Secretary for Ireland that the local element should not be unduly represented on the University Court. I think he need not fear that there will be any undue representation, for I find that the Court is to consist of 19 members, as provided for under the Bill, and yet the Government refuse to give representation either to the town of St. Andrew or to Dundee. Now, similar proposals are to be made in regard to the counties of Fife and Forfar, and I would ask the Government to tell us at once if they intend to concede any local representation at all in the case of St. Andrew's University. Will they let us know if they intend to take their stand upon the simple ground of "no surrender?"

MR. WILLIAMSON (Kilmarnock): I hope that the Scotch Members will practically stick to the clauses of the Bill. In the case of Edinburgh University the local element is practically duplicated, and surely as this is the Government proposal, it is an argument for at least permitting the introduction of the same element into the constitution of St. Andrew's University Court. No better method of doing that can be found than that contained in this Amendment.

*MR. ANSTRUTHER (St. Andrew's): I should like to correct a misapprehension which may arise from the statement of my hon. and learned Friend the Member for Dundee. He said that Scottish opinion on this matter was unanimous. Now, during the debate on the last Amendment I urged strongly, and not without a measure of success, that the Town Council of St. Andrew's should be in a position to nominate a representative on the University Court, but as the Committee has now decided against the representation of that royal and ancient burgh, I certainly cannot vote in favour of giving it to the comparatively new city of Dundee.

*MR. W. A. HUNTER: The Chief Secretary for Ireland has told us that the Scotch Universities are not local institutions, but that they are international institutions. I do not know whether he ever was in a Scotch University, but if he had been he would have known that there were no institutions so intensely local as a Scotch University. Every bursary belonging to Aberdeen University is the result of local subscriptions; and because we extend a liberal hospitality to students from every quarter of the world, is it to be said that the people of Scotland are to have no voice in the management of their Universities?

MR. BARCLAY (Forfarshire): I very much regret the conclusion at which the Government have arrived, because this is a point on which the people of Scotland feel very strongly. I base my support of this Amendment on the ground that the public have a greater interest in the University than any of the bodies which you propose shall be represented. The right hon. Gentleman the Chief Secretary for Ireland objected to what he called the local element. But let me point out that the representation on the University Court is purely local under the Bill. We know that the Scotch Universities have long been suffering because they have not been open to popular influence, and now that this Bill has been brought in with the object of improving matters I think the people of Scotland will have great reason to be disappointed if effect is not given to their views. I object altogether to the local character of the University Court, and I have supported the proposal that the Town Council of Dundee should be represented on the University Court for the express purpose of taking from it the local element. I do not at all understand the position taken up by the hon. Member for St. Andrew's, surely he might have sunk his local interest in the ancient borough for the sake of the University itself. One reason why St. Andrew's borough need not be specially represented is that the Court consists almost entirely of professors and others living in St. Andrew's. I hope that the Government will yield on this question for the sake of making progress with the Bill. It will be the duty of the Scotch Members to express their sense of the injustice that is being done to them by pressing further the consideration of these matters.

*MR. C. S. PARKER: I would join in the appeal to the Government to make this concession, the unanimity of the Scotch Members on this Amendment being nearly as great as on the last Amendment. The exception proves the rule. No one would expect my hon. Friend the Member for St. Andrew's to give this representation to Dundee until he sees it conferred upon St. Andrew's. I think I can promise him, however, that if this concession is made to Dundee the Scotch Members will make every effort on subsequent stages of the Bill to get St. Andrew's placed in an equally favourable position. The Secretary for Ireland based his arguments mainly on the ground that St. Andrew's was not to have representation. As St. Andrew's was not to have it, therefore Dundee should not have it; but there is no reason why they should not both be represented. I hope that on the early stages of this Bill the Government will consider what the position is becoming. There is no great principle at stake. They themselves are giving local representation to three out of four of the Universities, and they are refusing it to the fourth on account of local differences. Is it well to afford the spectacle of the Scotch Members voting in a body for an Amendment touching no great point of principle and being over-ruled by the Votes of Gentlemen who come in when the Division Bell is rung, but otherwise take no interest in Scotch questions. I am not one of those who believe in the existence of a strong demand in Scotland for Home Rule, but I must say that if anything would create such a demand, it would be the conduct of the Government in a matter of this kind which is so eminently fit to be dealt with exclusively by Scotch Members.

*MR. SINCLAIR (Falkirk, &c.): I hope the Government will give way, because, speaking from my experience of the University College, Liverpool, I can say that where the popular element has been introduced into the University Court, it has called forth from the public a wonderful recognition of the claims of University education. I need only say on that subject that University College, Liverpool, has received something like a quarter of a million from the citizens of Liverpool in support of that college; and I venture to say from that experience if the popular element is introduced to a large extent in the Scotch Colleges and Universities, you will find largely increased support given to them by the public.

DR. FARQUHARSON (Aberdeenshire, W.): The remarks of the hon. Gentleman the Member for St. Andrew's would lead the House to suppose that the constituency he represents are opposed to the present proposal, but I think the hon. Member must have evolved that out of his inner consciousness, for I believe they would welcome this proposal and the co-operation they would obtain, if it were carried, from the young

and growing town of Dundee. I do not believe the Amendment would do harm, therefore I would urge upon the Government as strongly as my colleagues have done, or whatever side they happen to sit, to accept this very reasonable proposal.

SIR A. ORR-EWING (Dumbarton): I think that, in view of the unanimous opinion expressed, the Government ought to consider the whole question on the Report, with a view to meeting both the claims of St. Andrew's and Dundee.

MR. A. ELLIOT (Roxburgh): My opinion is that we should not divide on the question now, as we are clearly not in a position to deal with the whole question. If we did divide I should feel bound to vote with the Government, as we have rejected the claim of the municipality of St. Andrew's; but I think it would be well for the Government to deal with the matter on the Report stage. I am surprised at the remarks which have been made by the hon. Member for Caithness and others about the purely local character of Scottish Universities. Those remarks were certainly wide of the mark. If the muncipalities are to be represented it will be hard to exclude the County Councils.

DR. CLARK: The hon. Member, who has just sat down, is altogether mistaken, as I have never made the statement he gives me credit for. I would suggest to the Government that instead of wasting an hour and a half on obstruction on the question under discussion, they should consider the question of appointing an assessor jointly for the two municipalities of St. Andrew's and Dundee.

*MR. W. H. SMITH: I venture to think it is almost time the Committee came to a decision. The main thing the Government have to provide for is the efficiency of the Universities, and we are bound to see that the constitution of these Courts shall be such as will maintain the ancient reputation of the University. I will undertake that between the present time and the Report the Government will consider whether it is possible, with a due regard to efficiency, to introduce some such dual representation as is desired by the hon. Member who has just spoken.

*SIR L. PLAYFAIR: I must say I think the Amendment before the Committee is worthy of being dealt with on its own merits. I am sorry the Government have not conceded the claim of St. Andrew's. University College, Dundee, which is a well-equipped institution, presents some conditions which might bring it into antagonism with St. Andrew's. If an assessor were appointed from the Town Council of Dundee, any *animus* of this kind would be likely to be diminished. I hope that the Committee will now divide on the question.

The Committee divided:—Ayes, 97; Noes, 127.—(Division List, No. 156.)

MR. W. A. HUNTER: The next Amendment on the Paper is so like that which has just been disposed of, that it is hardly necessary to trouble the Committee by repeating any of the arguments already used. I will, however, point out with respect to the County Councils, that it seems to me that they furnish the very constituency which Scotchmen have been looking for to supply the University Court with the element in which it is most painfully wanting. Prior to the Local Government Bill, it would have been extremely difficult to suggest any form of constituency, which would at once fairly represent the public interest in the University, and at the same time insure general confidence; and I do not think the Government before the divisions we have just taken, could have been aware of the strong feeling on this matter existing amongst Scotchmen. On the Second Reading I stated that the Bill was framed by persons more or less associated with the professors of the Universities, but that it did not represent the public, and that the public entertain very different ideas of what is wanted in the Universities. I would ask the right hon. Gentleman, therefore, whether he will not consent to report Progress, so as to be able to consider the position which ought to be taken up. The Government, I think, must be aware that they have recognized the claims of the public to representation, only to give them a representation totally inadequate and insufficient in amount. It is, therefore, well worthy the attention of the Government to consider the propriety of giving some representation to the County Councils. I am not wedded to my own proposal, and if the Government will themselves introduce some arrangement by which,

in addition to the burghs, the counties may, as they would, contribute most valuable elements to the University Court, an adjournment of the debate would be convenient to all parties. I beg to move to insert after subsection (b) "An assessor nominated by the County Council of Fife."

Amendment proposed, at the end of the foregoing Amendment to insert the words,—

"(d) An assessor nominated by the County Council of Fife."—(*Mr. Hunter.*)

Question proposed, "That those words be there inserted."

*MR. D. CRAWFORD: I have a suggestion to make in a single word as to this Amendment. I think my hon. Friend has very fairly explained that he is not wedded to his present proposal, although there is a good deal to be said for it. It is, however, perhaps too much to expect that the Government can concede so large a representation of the County Council on the University Court, but I would suggest they might have the Convenor of the County of Fife upon it. The Convenor will be a gentleman of very high position and he will have this advantage among others that he will be elected by a large body of electors within the county. He would be a valuable addition to the University Court, and it is a proposal to which I hardly think the Government can have any objection in principle.

SIR G. CAMPBELL: The hon. Member who moved this Amendment said he was not wedded to the County of Fife, but I am wedded to the County of Fife. The argument adduced by the Government against previous Amendments does not certainly apply against this, the objection on the ground of size urged against the Burgh of St. Andrew's cannot be urged against the large and distinguished "Kingdom of Fife." The University of St. Andrew's is situated within the county, and draws a large proportion of its students therefrom, and I think it is perfectly reasonable that there should be this local representation on the University Court, and the claim of the county of Fife is above all others. If any concession is to be made I hope it may be made in this direction. Fife contains a large population, urban and rural, and I can e no argument against their representation except one that would deny any outside representation at all.

*SIR A. CAMPBELL (Renfrew, W.): I regret that the Government have not been able to see their way to give a representative of the Municipal Authorities of St. Andrew's and Dundee. We now come to a new crop of Amendments of which I will say that it appears to me utterly inadmissible to suppose that every county in Scotland is to find representation on the Scotch Universities. If you allow that you will get together a body of men from whom it would be impossible that the work of University education would be carried on as we desire it should be carried on. I am quite sure that the opinion of the Scotch people would not be in favour of any such proposal. Certainly I shall oppose any proposal of this nature, for I am convinced that its adoption would not conduce to the educational success of the Universities.

*MR. BARCLAY: I do not think the argument of the hon. Gentleman carries much weight. We are contending for the principle that there should be some sort of popular representation in the University Court, and this principle I trust the Government will see their way to accept. I am inclined to support the suggestion that we should report Progress, because I think it might conduce to an economy of time. If the Government had the opportunity of thoroughly considering this matter, they might offer us some form of popular representation that would be acceptable and that would facilitate the progress of the Bill. I do not think this particular proposal can be considered open to the objections with which we have hitherto been met. Clearly the Universities of Scotland were in the first place intended for the benefit of the people of Scotland. We are glad to see students from other parts of the world taking advantage of these institutions, but certainly they exist primarily for the people of Scotland, and the people may well claim a voice in the administration and management. Various suggestions have been made of means for providing representation of popular opinion, and I cannot say that I have heard any formidable argument against the principle. The right hon. Gentleman, the First Lord of the Treasury, does not seem to understand the character of our municipal institu-

tions, and is afraid to trust the administration of the Universities in any degree to the representatives of the people. He wishes the administration to continue to be of an academic character. But I could show the right hon. Gentleman by historical references that the Universities in past times were much more under popular control than is now the case. I have not the slightest doubt that a municipality or a County Council would return a representative who would be an acquisition most useful in the University Court, would be an advantage to the University, and bring the University system more into accordance with popular wishes and feelings.

*MR. C. S. PARKER: I hope the suggestion to report Progress will not be entertained. I am sure it would be the cause of great dissatisfaction in Scotland if we lost even half an hour's progress with the Bill. The hon. Gentleman who moved this Amendment seemed rather to favour the proposal to report Progress, for this reason. He frankly admitted that his proposal was the work of a single mind that he had had no consultation with his colleagues on the subject, and that further consideration might induce him to modify his views. I would suggest as an alternative to reporting progress that as the expression of Scotch opinion might induce the Government on reflection to make a concession, we should accept the Government assurance that they will consider the matter with a view to Amendment on Report stage, the Committee passing over the rest of the clause without Amendment now, and the Lord Advocate taking an opportunity of consultation with Scotch Members with a view to its future modification.

MR. J. P. B. ROBERTSON: The question at present before the Committee relates to the proposal that an assessor shall be nominated by the County Council of Fife, and, to a certain extent, this question has been mixed up with the question of the local representation of the district within which the University of St. Andrew's is situated. My right hon. Friend the First Lord of the Treasury has undertaken that the question of the representation of the University seat, so to speak, shall be considered before Report; but the question involved in the present Amendment raises a much more general one. It is a most delicate and anxious question to determine how far there should be in an academical body a represention of what may be called the popular political interest, unconnected with the responsibility of academical government. Our primary duty is to make sure that the University Court which has the responsible Government of the University should be specially qualified for that function. It is therefore right to say that, having carefully considered this subject the Government do not think that the University Court should be recruited by any such general representations of municipalities as is suggested by the pages of Amendments before the Committee. Accordingly, the proposal is one which the Government cannot entertain. It has been one of the characteristics of the Scottish Universities that there has been an admixture of the municipal element in the large towns, Edinburgh for instance. The Government propose to continue that representation, and the great City magnates at Glasgow and Aberdeen will sit in the University Court, but we do not propose to do anything to lessen the responsibility attaching to the administration of a University, which should pay due regard, not to external politics or influences, but merely to the promotion of education. The wide proposal thrown out that representatives of Town Councils and of County Councils should sit by right in the Court of the University is one that leaves out of sight the primary object we ought to have in view. I ask hon. Gentleman seriously do they consider that by the method of selection proposed the community would send to the Court a representative specially qualified for the work the Court will have to discharge? The expression used by the hon. Member for Forfar was significant: he assumed that we desired that the administration should be conducted in an academic manner. Certainly I adopt the phrase, and do say Universities should be managed in an academic (which is another name for University) manner.

*MR. BARCLAY: What I intended to say was that the First Lord did not seem to believe that the municipal bodies or the County Councils would elect a man who could be trusted with academic administration.

*MR. J. P. B. ROBERTSON: I do not think my right hon. Friend said anything at all like that, and that point has not been raised in the present discussion. No doubt they could find men apt and suitable for County Councillors, who would manage University affairs very well, but the question is whether a man popularly elected to the County Council would not find himself in an altogether alien region in the University Court.

MR. E. ROBERTSON (Dundee): The speech we have just listened to is in every way more amazing even than the speech from the right hon. and learned Gentleman earlier in the debate. To show the utter misconception under which the right hon. and learned Gentleman labours, he talks of the position of the University Court as being an alien region, and an assessor appointed by the County Council of Forfar or any other county.

MR. J. P. B. ROBERTSON: No. I said an alien region of the County Councillor.

MR. E. ROBERTSON: But the proposal is to appoint an assessor; it is not proposed to transport the County Councillors into an alien region. The right hon. Gentleman seems to have got into confusion as to the functions of the Senatus, which are, strictly speaking, academical, and the functions of the University Courts, which are not academical at all. The principal functions of the University Courts as described in the Bill are "to administer and manage the whole revenue and property of the University, and the college or colleges thereof"; to appoint factors or collectors, to grant leases, and draw rents. Can these functions be described as partaking of an academical nature, or as those which a business man could not discharge as well as or better than a member of the University? It appears to me these functions rather present an alien region to the academically qualified member of the Court. Let me point to another of the duties of the University Court, the appointment of professors. I am not at all sure that the duty of appointing professors is best discharged by a strictly academic body. We know in English Universities the professorial appointments are in the hands of a professorial ring, and this is very apt to be the case when the appointments are left to an academic body entirely. There are many non-academic functions that could be best discharged by representatives such as we suggest as holding a neutral position. But I rose more especially to call attention to the situation in which we find ourselves in reference to the state of this Bill. The hon. Member for Caithness (Dr. Clark) made a suggestion—I do not know that it was a very felicitous one—that St. Andrew's and Dundee should for representation on the University Court be combined in one constituency; it was not a felicitous suggestion; but it drew from the First Lord of the Treasury a promise that some consideration should be given to the claim for more popular representation. I suppose we may take it from the Lord Advocate, though he was not very precise on the point, that similar consideration shall be given to County representation?

*MR. J. P. B. ROBERTSON: I said nothing of the kind.

MR. E. ROBERTSON: I thought the right hon. Gentleman was not very precise.

*MR. J. P. B. ROBERTSON: But I was.

MR. E. ROBERTSON: I can only speak of the impression made upon Members sitting on this side, and it might be taken as logically following the promise of the First Lord in reference to St. Andrew's and Dundee that similar consideration should be given to the question of the representation of Fife, Forfar and other counties. We are now told the Government do not intend to do anything of the kind. I think in regard to this Bill, the Scotch Members are not treated with fairness. I cannot help recognizing the fact that two officials, Law Officers of the Crown, sit there face to face with us, they represent a miserable minority of the Scottish people, yet they refuse to yield one inch to the repeated representations we as representing the great majority of the Scotch nation make. I feel this so strongly that I will give practical effect to the suggestion of my hon. and learned Friend, and move that Progress be reported.

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again,"—(*Mr. Edmund Robertson*).

*Mr. CAMPBELL-BANNERMAN: I believe we are all at one in our wish to improve the organization and usefulness of the Universities; and the way to do it is to make progress with this Bill. The principal impediment to its progress has been the attitude of the Government in declining to give any sort of promise to consider favourably Amendments that have been urged and supported by the majority of Scotch Members. The general opinion of those Members, of those who support as well as those who oppose the Government in general politics, is in favour of some more extended system of local lay control in University matters. We have heard a great deal about academic control and academic methods, but I do not bow down and worship before the academic system of management, and I think the majority of people in Scotland are somewhat distrustful of arrangements left mainly in the hands of academical persons, as I suppose we must call them. As I look down the list of those who are to constitute the University Court, I am bound to admit that eminent persons, as they are they are not likely to command the full confidence of the community interested in the welfare and prosperity of the Universities. Two proposals have been made for the representation of St. Andrew's and Dundee City, and now we have a proposal for the representation of the County Council of Fife. I do not wish to go into the merits of that question on a motion to report Progress, but I may say that although at first sight I was captivated with the idea of representation of the County Council, yet I saw that the proposal was open to two objections on the face of it—first, that it would make the governing body much too large if every county returned an assessor; and, secondly, I cannot allow that the County Council represent all the active intelligence of the county. I can speak of Fife particularly; part of it I have the honour to represent, and I maintain that the Burghs are as much deserving of a voice in this matter as the County. I do not think, therefore, that we ought to insist on this Amendment; and I understand it is not the intention of my hon. and learned Friend to do so. What we want is an explicit undertaking that between now and the next meeting of Committee, not only will the Government take into consideration the question of Local Representation, but that they will do so with a distinct desire to meet our wishes. That is an important difference from a vague and general undertaking. We do not merely ask that they should consider it in what I may call an "academic" manner, but with the actual desire to devise some means of carrying out that which they find to be the general wish of Scotch Members. If that promise were made more explicit in this sense I should be disposed to hope my hon. and learned Friend would not press his Motion.

*Mr. W. H. SMITH: I have listened with very great interest to the right hon. Gentleman. He has very fairly stated that he does not agree with the proposal of the hon. Member for Aberdeen (Dr. Hunter), and he has pointed out the grave objection there is to admitting other counties under the Amendments hon. Member desires to introduce. Then he makes an appeal to me that I should adjourn the discussion. There is nothing the Government desire more than to meet the reasonable wishes of hon. Gentlemen on both sides of the House. The desire of the Government is to present a measure to the House and the country which shall benefit the Universities of Scotland and the people of Scotland generally. We must, however, adhere generally to the provisions which we believe to be necessary for the efficiency of the Universities. I have already indicated that Her Majesty's Government are prepared to consider whether they can by any means consistently with the general lines on which this Bill is framed give local representation, and such as will not interfere with the efficiency of the institutions we are dealing with. We do not believe that that efficiency will be improved by a representation to the extent proposed in the Amendment on the Paper. The right hon. Gentleman opposite does not himself believe it will be improved by it, and objects to the length to which the proposal is carried. All I can say is, that we desire to improve the Bill, and that we will consider, in the terms of the undertaking I have given, if we can do so with due regard to the efficiency of the University. I, however, hold out no promise whatever to

extend the representation to such a degree as to impair the Bill.

THE CHAIRMAN: I am obliged to point out to the Committee that the Motion is to report Progress.

*SIR LYON PLAYFAIR: I hope that before the Report stage the Leader of the House will consider in what way the local element may be introduced without affecting the proper academic supervision of the Universities. Under the circumstanses we can probably allow the Bill to be proceeded with, especially as the hon. Gentleman in charge of the Amendment respecting County Councils has, I believe, no intention of proceeding with them on this occasion.

SIR G. CAMPBELL: I should like to know whether the right hon. Gentleman the First Lord of the Treasury will consider the representation of the territorial element — the element of the county or counties circumjacent to the University—as well as that of the towns? If he will do that I think we may fairly put ourselves into his hands, but if he takes up the position of Lord Advocate who, in a speech worthy of an old monk, or an old schoolman, defending his institution from the inroads of outer barbarians, tells us he will on no account interfere with the management of the institution by academic people, I think the Motion had better be pressed to a Division.

*MR. W. A. HUNTER: I hope that, after what has occurred, the Motion to report Progress will be withdrawn. I intend to take a division on the principle of my Amendment, and then, if the Government, having heard the opinions of the Scotch Members, will be made aware that if they do not discover some means of giving an effective voice in the University Court to the public, they will probably have a renewal of the struggle on the Report stage.

Question put and negatived.

*MR. W. A. HUNTER: I should not have troubled the Committee again if the Lord Advocate had not rather misrepresented the position in which we now stand. The only question raised by this Amendment is whether any representation whatever is to be given to the counties in Scotland. As to what form and what extent that representation should be given, I should be glad to leave that entirely to the Government. I thought it was only fair to the Government that I should put down a general scheme in order to shadow forth the views which I think might be properly carried out. But I desire the Committee to remember that the only question in this Amend- is whether any representation is to be given to the counties. The form of the Amendment is that the County Council should elect a representative. Under ordinary circumstances the Convener would be elected, but it might suit the convenience of the Convener that somebody else should be appointed for this special purpose. That is, however, entirely a matter of detail.

*MR. HALDANE (Haddington): There is one point to which I wish to draw attention. In the cases of the Universities of Aberdeen, Edinburgh, and Glasgow, you have large cities surrounding them, and the result is that the General Council has a considerable civic element infused into it. In the case of the University of St. Andrew's the facts are different, and the very people who constitute the Senatus in point of fact control the General Council. Under the circumstances I shall feel bound to support the Amendment, although I do not think it by any means a perfect one.

Original Question put.

The Committee divided:—Ayes, 105; Noes, 162.—(Div. List, No. 157.)

*MR. BARCLAY: The next Amendment on the Paper relates to my own constituency, and in order to give the Government time to consider the question of popular representation I beg to move, Sir, that you now report Progress.

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."—(*Mr. Barclay.*)

*MR. W. H. SMITH: I do not wish to oppose the Motion if persisted in, but I must point out to the hon. Gentleman that the Government have not shown any indisposition to consider the question raised in the Committee.

*MR. CAMPBELL-BANNERMAN: We have no desire to hinder in any way the progress of the Bill, and if anything

could be gained by going on for five minutes I should be glad of it, but as it is now five minutes to twelve I do not see that there is much advantage in going on.

DR. CAMERON (Glasgow, College): I am certain that business will be facilitated if the Government will be guided by the opinion of the Scotch Members in this matter. If the right hon. Gentleman the First Lord of the Treasury will look at the Division List published to-morrow morning, I am certain we shall get along very much better by reporting Progress than by going on wrangling to-night.

*MR. BARCLAY: I do not think I can be accused of obstruction, but as the Government have disregarded the opinions of the Scotch Members, I must persist in my Motion.

Question put, and agreed to.

Committee report Progress; to sit again upon Thursday.

MR. CONYBEARE (Cornwall, Camborne): I should like to ask the right hon. Gentleman the First Lord of the Treasury whether there is any foundation for the rumour that the Government do not intend to carry through the Scotch Local Government Bills this year. A good deal of countenance has been lent to the report by the fact that they have put an unimportant Bill like the Private Bill (Procedure) Scotland Bill in priority to the Local Government Bills.

The Question was not answered.

CONSOLIDATED FUND (No. 3) BILL.

Read the third time, and passed. [New Title.]

BUILDING SOCIETIES.

Return ordered—"Of an Abstract of the Accounts furnished by Building Societies incorporated to the 31st day of December 1888, including Great Britain and Ireland, under the Building Societies Acts, in pursuance of the Act 37 and 38 Vict., c. 42, s. 40, under the following heads:—

Register Number.
Year when Incorporated.
Name of Society, and Chief Office or Place of Meeting.
Year of the Society's Existence.
Date to which Accounts are made up.
Number of Members (where stated).
Total Receipts during the last Financial Year.

. *Campbell-Bannerman*

To the Holders of Shares. } Liabilities
To Depositors and other Creditors. }
Balance of Unappropriated Profit.
Balance Deficit (if any).
Balance due on Mortgage Securities (not including prospective Interests). } Assets.
Amount Invested in other Securities, and Cash. }

(in continuation of Parliamentary Paper, No. 260, of Session 1888.")—(*Sir Robert Fowler.*)

POST OFFICE MAIL CONTRACT (ORKNEY).

Motion made, and Question proposed, "That the Contract dated the 27th of March, 1889, for the conveyance of Mails between Scrabster, Scapa Pier, and Stromness, be approved"—(*Mr. Jackson.*)

DR. CAMERON: One of the contracts which came before the House some time ago was so varied after it was approved by the House, that the contract as approved was rendered absolutely null and void. I should like to have an assurance that if this contract be approved by the House, the Treasury will not alter its most specific and important provisions.

MR. JACKSON: I have no hesitation in giving the House the undertaking and assurance asked for; but I am not prepared to admit that the contract the hon. Gentleman has referred to was varied in any important particular. I assure the House I have just as strong a desire to adhere to the strict terms of our contracts as any hon. Member, and I have endeavoured to meet the views of the hon. Member by laying on the Table a Treasury minute in which it is distinctly laid down that there shall be no variation of any contract, as to which there shall not be laid before the House full information.

Question put and agreed to.

INDECENT ADVERTISEMENTS BILL. [LORDS.] (No. 284.)

Read a second time, and committed for Tuesday, 2nd July.

ARCHDEACONRY OF CORNWALL BILL. [LORDS.]

Read the first time; to be read a second time upon Monday 1st July, and to be printed. [Bill 287.]

House adjourned at Ten Minutes after Twelve o'clock.

HANSARD'S PARLIAMENTARY DEBATES.

No. 8.] FIFTH VOLUME OF SESSION 1889. [JULY 4.

HOUSE OF COMMONS,

Wednesday, 26th June, 1889.

NATIONAL SCHOOL TEACHERS.

Ordered—

"Return of the number of Teachers in Elementary Schools who entered the profession between the years 1846 and 1851, who are in receipt of Pensions; also of the number of Applications for Pensions from such Teachers during the last five years, the number of Pensions granted, and the number refused."—(*Mr. J. Talbot.*)

ORDERS OF THE DAY.

CRUELTY TO CHILDREN PREVENTION BILL. (No. 87.)

Considered in Committee.

(In the Committee.)

Clause 1 (Punishment for ill-treatment and neglect of children.)

Amendment proposed, in page 1, line 24, to leave out "9" and insert "10."

Question proposed, "That '9' stand part of the Clause."—(*Mr. Attorney General.*)

MR. J. KELLY (Camberwell, N.): I understood that the desire of the hon. Member was to obtain some modification of the provisions of the Bill, but in this instance the proposal is to extend the hours during which children may be employed during the summer months from five in the morning until nine at night to ten at night. Therefore the Committee are now asked to sanction the employment of children for 17 hours a day. I maintain that this is a matter in which the House of Commons should not interfere. No limitation of any kind should be placed upon the necessary or beneficial employment of children. It is one thing to legislate for the prevention of cruelty to children, but it is a totally different thing to legislate against the beneficial employment of children. I think it is unfortunate that the 3rd sub-section should have been included in the clause, and I hold in my hand a petition from the Mayor, Aldermen, and Town Council of the Borough of Nottingham, generally supporting the Bill, but complaining of the provisions as to the employment of children in the public streets, and praying that the Town Councils should be empowered from time to time to make regulations with regard to the employment of children. I entirely agree with the prayer of the petitioners, and I think it is most desirable that those who know best the requirements of the different neighbourhoods should have the matter placed unreservedly in their hands. I should be quite prepared to place in the hands of every Town Council the duty of saying how many hours a day children shall be employed, and during what hours. The Committee are now asked to decide that the hours between which children may be employed shall be from 5 a.m. until 10 p.m. in the summer months. I am quite aware that the Attorney General proposes to move a proviso which will enable the Local Authority to alter the hours by bye-law, but I think it would be better to put it in this form "not after 10 p.m." and leave out altogether any question with regard to the morning. That would be a reasonable and proper basis on which to invite the Local Authorities to work, but if you say

that children may be legally employed during all those long hours you will undoubtedly fetter the discretion of the Local Authorities. The matter should be left to the Local Bodies who know the circumstances of the poor people with whom they have to deal, and I think it would be unfortunate if the acceptance of this Amendment were to empower the Local Authority to allow children to work from early morning until a late hour at night.

*THE ATTORNEY GENERAL (Sir R. WEBSTER, Isle of Wight): I will endeavour to keep the mind of the Committee to the real point which is before them. The hon. Member for Camberwell (Mr. J. Kelly) seems to forget the Committee are not now dealing with the number of hours children should be at work, and I hope there are few Members in the House who do not think that from seven o'clock in the morning until nine at night, as the Bill originally stood, is too long for a child to work. But the scope and scheme of the Bill are to prevent children from working at a time when the Committee are of opinion that it would be injurious to their health, education, and morals. I am not in the least degree wedded to any particular form of the clause, but the problem we have to consider is at what time, under ordinary circumstances, child labour should stop at night; at what hour it should commence in the morning, and with what authority discretionary powers for regulating it should rest.

*MR. MUNDELLA (Sheffield, Brightside): I was glad to hear the remarks of the hon. Member for Camberwell against the extension of the hours, but I think that the matter should be left entirely to the Local Authorities. We propose to accept the Amendments of the Attorney General as to the hours, and we hope that the hon. Member for Camberwell will support us in giving a free hand to the Local Authorities either to restrict or extend the hours according to local circumstances. There is no better corporate body than that which exists in the Borough of Nottingham, and the desire there is that the Bill should become law and that the hours should be adapted to the circumstances of the different localities. I trust that we shall be able to introduce Amendments afterwards which will leave the fixing of the hours to the localities.

*SIR A. ROLLIT (Islington, S.): I hope that the Amendments proposed by the Attorney General will be agreed to, because there are many districts in the metropolis and in large towns where it is absolutely necessary in some part of the week to extend the hours. I have myself prepared an Amendment which I propose to move later on, to provide that any Local Authority may, if it shall consider it necessary or desirable, extend or restrict the hours.

Question put, and negatived.

Question, "That '(10)' be inserted," put, and agreed to.

*SIR R. WEBSTER moved, in line 26, to leave out "(7)" and insert "(8)."

Amendment agreed to.

*SIR R. WEBSTER moved, in line 26, to leave out "(7)" and insert "(5)."

Amendment agreed to.

MR. J. KELLY: The next Amendment which stands in my name is to provide that nothing in the sub-section shall affect or relate to any case in which any child may be beneficially or necessarily employed. I do not propose to move the Amendment at this moment.

SIR W. PLOWDEN (Wolverhampton, N.), moved, in line 27, after "inclusive," to insert "excepting Saturday in cases of offering for sale."

Amendment moved, Clause 1, page 1, line 27, after "inclusive," insert "excepting Saturday in cases of offering for sale."—(*Sir W. Plowden.*)

Question proposed, "That those words be there inserted."

*SIR R. WEBSTER: I hope that the hon. Member will not press the Amendment. I have no information before me which induces me to believe that it is desirable to except Saturday by name, and there are some towns in which Friday is of equal importance as a business day. I think the best course will be to take the Amendment lower down, of my hon. Friend the Member for South Islington (Sir A. Rollit), which empowers the Local Authority to extend or restrict the hours, in conjunction with a further Amendment which I have myself placed on the Paper, to provide that the alteration shall be for the pur-

poses of carrying on any lawful trade or avocation, adding "on any specified day or days." Such an Amendment will enable the Local Authority to deal with the matter.

SIR W. PLOWDEN: Under these circumstances I will not press the Amendment.

Amendment, by leave, withdrawn.

*SIR A. ROLLIT moved, in line 27, after "inclusive," to insert—

"Provided that any Local Authority may, if it shall consider it necessary or desirable so to do, extend or restrict the said hours by bye-law on one or more days in the week; as to the whole or any part of the area under its jurisdiction for the purposes of any lawful trade or avocation, and Section 184 of the Public Health Act, 1875, shall apply in the case of any such bye-law as if the Local Authority were a Local Authority under the Act."

The Committee have now fixed the hours, but there is a general agreement that some latitude should be allowed to the Local Authority in regard to restriction or enlargement. If this is not done, there may be some hardship in applying the rule rigidly. Allusion has been made to the petition which has been presented from the city of Nottingham. The principles of the Bill have been applied in that city with the greatest possible advantage, but their application was found to be *ultra vires*, and was put an end to. The Town Clerk writes to say that the Town Council are strongly of opinion that the circumstances of some cities and towns are so different from those of others that the Town Council should have the power of fixing the hours. In several towns statutory powers have already been obtained, and I do not think the Committee desire to override those powers by a general Act, but the Local Authority should be empowered to lay down rules within a particular area, either for the extension or the restriction of the hours. The importance of this point is that the Local Authority—for instance, the County Council, in England—would cover a very wide area, and might be held to include in many cases boroughs which ought to have power to regulate their own action, or at least the Council should have power to define the area.

Amendment proposed, Clause 1, page 1, line 27, after "inclusive," insert—

"Provided that any Local Authority may, if it shall consider it necessary or desirable so to do, extend or restrict the said hours by bye-law on one or more days in the week, as to the whole, or any part, of the area under its jurisdiction for the purposes of any lawful trade or avocation, and section 184 of the Public Health Act, 1875, shall apply in the case of any such bye-law, as if the Local Authority were a Local Authority under that Act."—(*Sir A. Rollit.*)

Question proposed, "That those words be there inserted."

*SIR R. WEBSTER: I think the Amendment might be amended by the addition of the words, "on any specified day, or days, of the week, and in a specified area." Those words would be sufficient and more simple than those contained in the Amendment of my hon. Friend. I am quite prepared to consult my hon. Friend as to the language of the clause, in order to see whether it is necessary to make verbal alterations in other parts of the Bill.

THE CHAIRMAN: Does the hon. Member for South Islington withdraw his Amendment?

*SIR A. ROLLIT: Yes.

Amendment, by leave, withdrawn.

*SIR R. WEBSTER moved, in line 27, after the word "inclusive," to insert—

"Provided that any Local Authority may, if it shall consider it necessary or desirable, extend or restrict the said hours on any specified day or days of the week, and in any specified area."

Question proposed, "That those words be there inserted."

*MR. TOMLINSON (Preston): I think the Committee labour under some disadvantage in discussing the Amendment in the form in which it appears upon the paper, because the real effect of it depends upon the words "Local Authority." I would submit that the Local Authority should be one coterminous with the district affected. I cannot imagine, for instance, a body less qualified to deal with matters of this kind than a County Council. The Council for the County of Lancaster, for instance, would be of far too diverse an experience to be able to deal satisfactorily with the large villages or small towns where this clause would have to be dealt with.

MR. H. H. FOWLER (Wolverhampton, E.): I hope that the discussion will not be complicated by any attempt to define the Local Authority. I certainly think that the County Council would be an unsuitable authority. The Local Board

of Health, wherever there is a Local Board of Health, would be preferable; and even the Local Board of Guardians where there is no Local Board of Health. It is necessary, however, to put in the words "Local Authority" now.

MR. WHARTON (Yorkshire, W.R., Ripon): I quite concur with the remarks of the right hon. Member for Wolverhampton (Mr. H. H. Fowler). I think that in Durham, for instance, the County Council, whose jurisdiction covers a very large area, would be an unsuitable Local Authority.

*MR. MUNDELLA: I hope the Attorney General will leave out the words which seem to govern the Local Authority which is to extend or restrict the time during which children may be employed.

MR. J. KELLY: I think it is important that some definite understanding should be arrived at as to what is to constitute the Local Authority. As the provision now stands it seems to be a somewhat absurd one.

*MR. GEDGE (Stockport): I am not quite clear what the intention and meaning of the clauses — whether it is to enable the Local Authority to give something similar to an off license, or whether they are to frame bye-laws for their district, dealing generally with the question.

*SIR A. ROLLIT: I wish it to be fully understood that, as far as I am concerned, this is a perfectly open question. Personally I think we ought to unify rather than multiply our Local Authorities.

SIR W. PLOWDEN (Wolverhampton): I would like to call the attention of the Attorney General to the fact that it seems necessary to add words such as I have proposed—namely, "in cases of offering for sale," or similar words, "any lawful employment." I take it only such cases are intended to be provided for by the Amendment. But if such words are not inserted the amending paragraph will govern not only the last part of the sentence but the entire sentence of the clause, and thus covers much more than is intended.

*SIR R. WEBSTER: The hon. Baronet has referred to what I had in my mind in adding these words, but my reason for postponing the discussion, was that I thought the actual language of the Amendment, including those words, would be better considered when we saw exactly how the Bill stood.

Question put, and agreed to.

MR. J. KELLY: I would now ask the House to reject altogether this section which prohibits under any circumstances whatever, the employment of any child under 10 years of age in the street. I do not think the House will say there can be and ought to be no circumstances in which a child should do something to earn its living under 10 years of age. I ask the House to say that this clause goes too far in several ways. It is a regular trap—for a boy going across the street to deliver a bottle of medicine would come within the Act. I ask the right hon. Gentleman whether he will omit the words, "or any other purpose."

*MR. MUNDELLA: Certainly not.

*SIR R. WEBSTER: I certainly proposed to omit "any other purpose."

MR. KELLY: Is it really the opinion of this House, that no child under ten years of age, under any circumstances whatever, shall offer anything for sale? Is a child to be prohibited work which is light and pleasant to it, and so contribute its little mite towards keeping the house together? I ask the House to say, that the clause in its present form cannot possibly be accepted. I am most anxious not in any way to impede the progress of this Bill, and I therefore beg to move the Amendment which stands in my name—Clause 1, page 1, leave out sub-section (3).

Question put, "That those words stand part of the Clause."

MR. TOMLINSON: I agree with my hon. Friend, and I think it is a dangerous system of legislation which is proposed. Certain people will be excused from punishment on the ground that the action was innocent, and that will form a precedent for letting other people off.

*MR. MUNDELLA: The section which the hon. Gentleman moves to omit, is that which refers to the employment of children under ten years of age. Now, the Factories Act and Workshops Act totally prohibit the employment of children under ten years of age, and if they are to be employed at ten years, it is only half-time. And

the Elementary Education Act prohibits the taking of any child under ten years of age for any employment whatsoever. I have no objection to accept the Amendment of the Attorney General, which is a legal Amendment, though I do not see what effect it will have. I cannot consent to accept the present Amendment.

*SIR R. WEBSTER: The Bill is for the prevention of cruelty, and it is suggested that there are some acts which may be lawful in themselves under colour of which children may be ill-treated. The question is whether it is necessary that children under ten years shall be employed in the streets or not, or whether there should be an express prohibition against the employment of children under ten years of age in circumstances such as are contemplated by the section.

MR. L. H. ISAACS (Walworth): The right hon. Gentleman (Mr. Mundella) has referred to factories and workshops, but circumstances are not analogous. The atmosphere of the factory is totally unsuited to children, and there is the danger of accident. I quite agree with the hon. Member (Mr. Kelly) that a child with its father and mother ought not to be prohibited from offering any article for sale. I think the clause should not contain the words "playing or performing in public," but it is going too far to say that children under ten years of age shall not be employed for any purpose.

*MR. MUNDELLA: It is stopped already.

MR. ISAACS: We know what the effect of the clause will be if passed. It will become inoperative, and will only bring ridicule on the whole thing. Whilst trying to put down the evil you deprecate, be sure you do not create another in its place.

MR. H. H. FOWLER: I am afraid the speech of the hon Member has been made three years too late, because the prohibition of labour by children under ten years, is not confined to factories but is extended to the wholesome pursuit of agriculture. What we propose is that the probibition should be extended to singing and performing in public-houses, and offering things for sale in the streets of London and our large towns by little children under 10 years of age. I think it positively brutal and cruel to little children under 10 years of age, and almost in a state of infancy, should be allowed to go into these public-houses and places of entertainment. I think it is discreditable to those who employ them and to those who witness it and support it. In the interests of the children, in the interests of their education, physical and moral, the employment of children under 10 years of age ought to be prohibited. You have on the Statute Book an absolute prohibition, and in other employments between the ages of 10 and 14 they can only work half-time and an educational standard is required. By carrying this proposal the House would be preventing the carrying out of a principle which is already embodied in legislation.

*MR. TOMLINSON: If the general law prohibits this kind of employment, why enact a fresh prohibition? If it does not, then I agree with the right hon. Gentleman that it should be prohibited. I do not wish to allow these things to go on.

MR. ISAACS: I, too, wish to set myself right. I object as much as anyone to children singing in public-houses.

*SIR R. TEMPLE (Evesham, Worcester): I am unwilling to detain the Committee further than to say that the judgment of the Elementary Education Authorities is in favour of the clause as drafted. According to the clause as it stands, children will not be allowed to sing or perform in public-houses or in the streets under 10 years of age. I gather that an Amendment is to be inserted permitting their employment in theatres, and all I can say is, that any Act of that kind will be heard of with great regret by the Educational Authorities of the Metropolis at least.

MR. J. KELLY: My objection is to the concluding words of the section, and I must say that I am in sympathy with those who discourage children going to public-houses.

THE CHAIRMAN: Does the hon. Member withdraw his Amendment?

MR. J. KELLY: Yes.

Amendment, by leave, withdrawn.

*SIR R. WEBSTER: In moving the next Amendment which stands in my name

hon. Members know that it is one of very great importance. I, for one, shall never prevent children who have particular talents from having them developed in the best way possible, and I think in protecting children in singing, or dancing, or acting, we should do it by proper precautions, and not by a side wind. I do not believe the House is in a position to say that on the present occasion, with the information before them, children are never to be employed under 10 in a theatre. I have known myself instances of children of remarkable precocity; and in the development of the great gift of singing, it would probably be detrimental to their education if they were not able to train at an early age. I admit those instances are rare. I think the question of the employment of theatre children ought to be dealt with by itself. It appears to me this is a question on which conflicting views will be expressed. It is alleged by those who are interested, that they can bring forward statistics to show that the children are not injured; and I would remind my hon. Friend behind me that this really does not touch the question to which he directly refers. I have thought it right to move the following Amendment:—Clause 1, page 1, line 30, after "liquor" insert "other than premises licensed according to law for public entertainments."

Question proposed, "That those words be there inserted."

*MR. MUNDELLA: Many of my hon. Friends around me are opposed to this Amendment; nevertheless I am prepared myself to reccommend its acceptance, agreeing with the Attorney General that this is a matter that ought to be dealt with after full inquiry. This Bill is to prevent cruelty, and I do not want to lose the major in attempting to secure the minor. But I think that whenever an inquiry is held, it will be found that there ought to be such a prohibition as exists in other countries—in Germany, for instance,—where artists never dream of training a child under 10 years of age. Whenver they want to do that they come to England. They cannot do it in Germany. While that is the case, I am quite willing to abandon that part of the Bill, and to accept the Attorney General's Amendment. I ask my Friends to do so in order to pass the Bill. We must bear in mind that the Royal Commission on Education have recommended unanimously that children employed in theatres shall be under the same conditions as are imposed by the Factory Acts, which absolutely prohibit children und 10 years of age being employed in any occupation whatever, and that the Government will have to deal with the Report of the Commission in its entirety.

MR. H. H. FOWLER: Of course, if there is a strong feeling in favour of the Attorney General's Amendment, then I think my right hon. Friend's course is the wisest in deferring to that opposition. But I think it well to hear a little on the other side first. The Attorney General practically proposes to legalize the employment of children under 10 years of age in theatres and circuses. [The ATTORNEY GENERAL: To leave the law as it now is.] And my right hon. Friend says, let us wait until we have full investigation. The question has been fully investigated by the Royal Commission on Education, and in their Report they say:—

"In connection with school attendance, som very important evidence was given by us with respect to the employment in theatres usually selected for their prettiness and intelligence—an employment which materially interferes with their education, and is said to be generally demoralizing both at the time and by unfitting them for ordinary work, when they get too old to appear on the boards. Mrs. Fawcett, who has given great attention to this matter, states that the children are apprenticed to the stage when under 5 years of age, sometimes at 3 years of age, for a term of seven or nine years; that they are employed for a considerable period during the day until a late hour at night, and having often to return home long distances alone. We agree with Mrs. Fawcett in thinking that it is the duty of the State to step in between these children and their employers, where parents or others, whose stupidity seeks to make profit out of their work, especially as we are told that it is not the poorest parents who seek to make profit out of their children on the stage. Certain provisions of the Act of 1870 bear on this case, but they do not stop the employment of children of between 5 and 14, and they do not apply to children under 5 years of age. We are informed that the London School Board has been most anxious to deal with this matter, but has for that its legal powers were insufficient."

This Amendment is going to strengthen that legal insufficiency.

"The law on this subject is stated to be defective, and we recommend that it be strengthened. We are of opinion from considerations of health as well as of morality and education

that one remedy for a state of things which affects a large number of young children (about 1,000 in London alone) would be to bring theatrical employment under the Factory Acts."

Now that is a very strong expression of opinion from men of all shades of political creed, and of great educational experience—men of great experience as statesmen, and we ought not lightly to put it on one side. We have already discussed what the state of the law is with reference to the employment of children under ten years of age; we have agreed to extend the prohibition under ten years of age to children generally in streets and public-houses, and now we are asked to qualify that provision by saying that children may be employed in premises licensed for public entertainment. Why should we allow that? In whose interest is it? Is it in the interest of the child? Is it in the interest of the parent? Is it in the interest of the public? You cannot say that it is in the interest of the child. I am not going to raise the question as to the propriety, or otherwise, of theatrical entertainment, but I wish to ask is the training children get in theatres an advantage to them, educational or moral? I should like to hear any hon. Member maintain that it is. Then is it an advantage to the parent? I ventured to say last week, and I repeat again to-day, that it is the duty of a parent to support his children, and it is not the duty of children to support their parents. Last Wednesday we were dealing with the case of children up to 16 years of age; to-day we have to do with children under 10 years of age, and I again say that no parent has any right to live on the earnings of a child under 10 years of age. Now, let us look at the actual facts. I have seen some of the evidence brought before the London School Board. Here is one of the cases. Just before the pantomime season in the year before last a father applied to the Committee for a half-time certificate for three children, in order to enable them to accept a theatrical engagement. One of these three children was under 10 years of age. The character of the father was well-known; he was a West-end tailor and could earn good wages if he chose—as much as £2 or £3 weekly. The application was refused. The children were at once removed from the Board School and sent to a private school, and they were engaged in a certain theatre at a salary of 35s. a week. While the children were earning that amount the father, in order to make the comedy complete, applied for alms to the Mansion House Committee as one of the unemployed. I think this is about as startling an illustration as it is possible to have of these honest, industrious, hard-working parents whom the House carefully guards lest they should be deprived of the invaluable earnings of little children under 10 years of age. Another case, described by Mrs. Fawcett, is that of a girl who, when she first visited her, was ill from over-work. When she recovered, she was engaged for the open-air ballet at the Crystal Palace—having to go through six months' rehearsals and to perform for four months; in fact, these children had to perform in the open air in low dresses and elbow sleeves until November. The child (says Mrs. Fawcett) was sometimes extremely fatigued when she arrived at Ludgate Hill on her journey home, and her legs and ankles swelled. One night a man followed her and asked her to go with him, but she ran away as fast as her tired legs would carry her, and she stated that after this, on her way home she tried to keep behind a gentleman in a high hat, as she thought he would protect her if any one molested her. I think there is something touching in the child's belief that a gentleman in a high hat would protect her. Now I should like to say a word on the educational aspect of the question. The Attorney General seemed to think—and I quite agree with him—that it would be wrong to deprive exceptionally clever children of opportunities of being trained, and of having their special talents developed. But I say that we cannot legislate for exceptional cases; we must legislate for majorities, and it would be far better to leave one exceptionally clever child to begin her special education after she is ten years of age, than that thousands of other children should be subjected to all the disadvantages and dangers which may arise if this proposal is agreed to. Now, information and opinions on this subject have been obtained by Mrs. Fawcett from those engaged in the education of children, and upwards of one hundred replies have been received

rom School Board teachers. There is a remarkable unanimity of feeling among them. They say, first, that the moral evil is indescribable; secondly, that the education of the children practically comes to an end—and, I think, I need hardly point out to the House that children working until midnight are not likely to be fit for school work the next day—and finally the teachers agree that there is no doubt whatever that the health children suffers from this class of work. The head teachers of many of the schools in districts peculiarly affected by children being engaged in theatrical work, have concurred in these views, and have allowed their names to be attached to the Report. I think we should be unwise on this occasion to raise the question of the desirability of allowing young people of any age to be employed in these entertainments. The point we must confine ourselves to to-day is, whether little girls under ten years of age are to be allowed to be trained by singers or actors, or even acrobats, and we shall be allowing that if we accept the Amendment of the Attorney General. Unless I hear reasons which will induce me to alter my mind, I think it will be my duty to divide the Committee on this particular Amendment.

*Mr. J. G. TALBOT (Oxford University): I had no idea that this point was to be raised to-day, and, therefore, I have come down to the House entirely unprepared to deal with it. Although I was a Member of the Royal Commission on Education what I say now must be accepted with some reserve, and must not be taken as expressing the views of the Commissioners. Having listened to the very temperate and at the same time eloquent speech of the right hon. Gentleman the Member for Wolverhampton I must say I think that the balance of the argument is against the views of the right hon. Gentleman, because the Bill before the Committee is a Cruelty Bill and not an Educational Bill. I quite agree with much that he said, and if the matter were entirely connected with education there would be great reason, probably, for further restrictions. But it cannot be distinctly proved that theatrical employment is a cruelty to children. Some say it is and some say it is not. The Commission have only heard one side of the case; they have not heard the evidence of theatrical managers and those in favour of the employment of children in pantomimes. A friend of mine, a student of Christ Church, Oxford, who has taken a great interest in this question, told me that the children who took part in the representation of "Alice in Wonderland" a few years ago evinced the greatest interest and delight in their performances, and, therefore, it does not appear that there could be any cruelty in allowing them to participate in them. Indeed, I believe that the children's vote would be on the side of the Attorney General and against the right hon. Gentleman the Member for Wolverhampton. I think the Committee would be wise to accept the Amendment and reserve the further consideration of the question until the matter can be considered on general educational grounds in this House.

*Mr. S. SMITH (Flintshire): I hope that the Committee will reject the Amendment of the Attorney General. I think the speech of the right hon. Gentleman the Member for Wolverhampton is perfectly unanswerable, and I do not believe there can be a single hon. Member who thinks that the employment of children under 10 in theatres is wholesome, or who would allow his own children to be so employed. The utterly unwholesome atmosphere of a theatre simply ruins the nervous system of a child under 10 years of age, and, as a matter of fact, only a small proportion of the children employed early in theatres come to any good; for the great bulk of the little girls it means hopeless ruin. It has been argued that employment in theatres simply comes under the head of education, and that it is not competent for the Committee to consider this question in connection with this particular Bill. But if singing in public-houses and selling apples in the streets is to be prohibited as cruel, why should the employment of children up to midnight in the heated atmosphere of a theatre be permitted. Take, for instance, the case of children employed as acrobats. Did not we read a horrible story the other day of a murder committed because a little girl employed as an acrobat had her health destroyed and died of consumption? I do not think there is any class of children more cruelly treated than those trained as acrobats. In

America this kind of employment for children is universally prohibited under severe penalties, but we are miles and miles behind America in all that relates to the protection of children. I hope that the Committee will not stultify the Bill by excluding from its scope one of the most permanent sources of evil that exists. It is monstrous that children should be prohibited from honest employment by the Factory Acts and yet be allowed to perform at theatres and walk through the streets late at night exposed to every kind of insult and outrage. I believe that in the country there is an overwhelming opinion against the employment of these young children. I do not wish to have the Bill killed, but I think it would be a shameful thing to introduce this Amendment, and I hope the country will take notice of those who are seeking to destroy one of the most salutary provisions of the Bill.

*SIR R. WEBSTER: I think it is a great pity that in such a difficult question as this, any hon. Member should endeavour to gain personal popularity for himself by imputing to those who wish to see the matter fairly discussed a lack of desire to protect young children. This was very unlike the manner of the hon. Member for Flintshire, whose schemes have often received the cordial support of the Government. I must say that as I stated my reasons for proposing that the law should not be altered in this respect, I protest against speeches from hon. Members — however well-intentioned they might be—imputing motives to those opposed to them. The right. hon. Gentleman opposite spoke of the "invaluable earnings" of these children. I never said a single word in favour of a parent being allowed to draw 35s. a week as his children's wages, and then getting relief at the same time from the Mansion House Committee. It would be far better to discuss this matter without imputing motives either to one side or to the other.

MR. H. H. FOWLER: I did not impute motives.

*SIR R. WEBSTER: We did not hear any suggestion of names from the right hon. Gentleman, but the hon. Member for Flintshire used very strong language, and spoke of the country being told who were in favour of this Amendment. I ask, is it just to impute to those who support the Amendment because they have not sufficient evidence on the other side, that they desire to expose little children to horror and outrage in the streets? I yield to none in my desire to improve the condition of children and to prevent every injurious employment of them. But the arguments of the right hon. Gentleman the Member for Wolverhampton were founded on the Report of the Education Commission, which only include the evidence on one side. I highly respect Mrs. Fawcett, but I have seen categorical denials of some of the cases she has brought forward; and many of the opinions quoted are the opinions of those who are opposed to theatrical performance of any kind. I do not wish to legislate for exceptional cases, but I wish to keep my judgment open. There are in many cases educational establishments carried on in the theatres; and it would be unwise for the House of Commons to interfere with what may be called a technical kind of education without a full consideration of the features of the case. Employment in theatres is entirely different from sending children to sell things in the streets late at night. With young singers and children who play musical instruments, it may be all-important that their particular talent should be cultivated *pari passu* with their education. There are not the materials before us to arrive at a final decision on the matter. Therefore, I wish to suspend my judgment. But because I do that it should not be said I am in favour of the atrocities referred to by the hon. Gentleman the Member for Flintshire.

*MR. S. SMITH: May I be allowed to explain that I had not the slightest intention of imputing to the right hon. Gentleman a desire to leave children unprotected. There is no man in the House more interested than the right hon. Gentleman in the promotion of all moral measures for the benefit of children, and I am greatly indebted for the right hon. Gentleman's support on many occasions. I was thinking of other people. I am quite aware he speaks on behalf of the Government that has to consider the prospect of carrying the Bill through; but I repeat that, in saying what I did, I was thinking of other people altogether. I hope he will accept my explanation.

*Sir R. WEBSTER: I was not defending myself, but I was thinking of those on this side of the House who think it their duty to support the Amendment. I wish to say a word in reference to the miserable and horrible case of murder the other day. As a matter of fact, the girl whose death is said to have caused the father to kill the acrobat, was 15 years of age, and apparently she had of her own desire chosen that course of life. Now, in conclusion, I repeat that the House of Commons has not the information on which to exclude all performances of children under ten in *bonâ fide* legitimate theatrical engagements. I believe that the children performing in "Alice in Wonderland" greatly enjoyed the performance; and every hon. Member must constantly have seen in private life little children performing on musical instruments, and in private theatricals. I ask the House to believe that those who support the Amendment do not do so because they desire to perpetuate the abuses which have been referred to.

*Mr. ESSLEMONT (Aberdeen, E.): I think it is to be very much regretted that the right hon. Gentleman the Member for Sheffield should have yielded to this Amendment. After giving the matter careful consideration, I have come to the conclusion that the introduction of the Amendment is of such vital importance as to make it necessary for us to divide the Committee upon it. We are seeking to protect these little children, and I am quite willing to admit that hon. Members on the other side of the House are equally as anxious as ourselves to do that, but I doubt if the adoption of this Amendment will tend to give that protection. I believe, in regard to the performances of "Alice in Wonderland," to which reference has been made, that the piece could have been performed quite as well without the engagement of children under ten years of age, and I therefore hope that the Committee will reject this Amendment.

*Sir R. TEMPLE: I am sure that the Attorney General will acquit me of any desire to be captious or sensational in what I am about to say, and I can quite understand the desire of the right hon. Member for Sheffield to secure the passing of this Bill, and to defer the discussion on the principle involved in this Amendment, which virtually legalises the employment of children under ten years of age in theatres and music halls. But I confess I think the arguments used by the right hon. Gentleman the Member for Wolverhampton have not been answered, and, as a member of a great educational body, I feel bound to support the opinions of the right hon. Gentleman. I have no option in the matter. To be consistent with my own conduct on the School Board, and in justice to my colleagues on that Board, I am bound to advise the Committee that according to our experience which is neither short nor small this Amendment is wrong. I say that without the slightest imputation of motive. We in the London School Board have heard everything to be said on both sides, we have had the advantage of holding communication with theatrical managers, and therefore I am in a position to feel certain I am right in opposing this Amendment. We have a principle, which is this—We maintain that children of a tender age ought not to be injured intellectually, morally, and physically, for the entertainment or amusement of adults. The Attorney General must excuse me for saying that not only does this Amendment diverge in the direction of wrong, but that it is diametrically the opposite to what is right. For where it ought to include it specifically excludes. The Amendment says "other than," which means that it excludes theatres. Instead of the words "other than" I should like the words "including theatres and other places of public entertainment." The Attorney General alludes to us educationists. I apprehend that his view is somewhat narrower than ours upon that point. By education we elementary educationists mean not only instruction in class-rooms but proper attention to the health, morals, discipline, and physique of the child, and against all these matters this Amendment sins. The action of the School Board for London in this behalf has been referred to by the right hon. Member for Wolverhampton. The School Board is composed of men of mixed opinions and varied experience, but upon this question we are agreed. I entreat the House to reflect upon the various establishments under the Board—the Teachers, the Visitors, the In-

spectors, the Divisional Committees, and the Local Managers. See what a mass of expert opinion here exists; and it is all against the employment of very young children in theatres. Unfortunately the London School Board is having its Whitsuntide recess, and it is difficult to get any corporate action on its part on this subject; but I am sure that if we had had notice we could have produced a mass of statistics and other information which would have conclusively supported the view I am now advocating. No doubt there are some children with a peculiar gift or talent for these entertainments; but if ever they are to become consummate actors or artists they ought not to be worked at too tender an age. They ought to have a general training in, so as to secure the *mens sana in corpore sano*. That is required in the interest of the child itself; while, assuming that the parent has an interest in the training of his child to become a master or mistress of its profession, it is for his interest that his child should not be prematurely worn out and exhausted. The hon. Member for the Oxford University has asked whether that is a question of cruelty or of education. I say it is a question of the better protection of children. According to the clause already passed the child may not sing in premises licensed for the sale of intoxicating drink. Then by parity of reasoning it should not sing in a music hall. And the same argument will apply to a theatre also. In justice to the managers of theatres, I am bound to admit that since the School Board have taken so much interest in the matter and have had rather a severe correspondence with them, they certainly seem to have increased their efforts for the benefit of theatrical children. I do not say at all that these efforts were not put forward before, but, at all events, they have been intensified later. Care may have been always taken by them in some degree, but it has recently been redoubled. Still, no care can possibly obviate the evils of late hours and over-excitement for very young children. I should like to know whether it is possible to propose an Amendment to this Amendment, to substitute for the words "other than" the word "including."

Mr. WALTER M'LAREN rose in his place, and claimed to move "That the Question be now put."

But the CHAIRMAN withheld his assent, and declined then to put that Question.

*MR. CHANNING (Northampton, E.): The Attorney General has argued throughout as if his Amendment only referred to first-class theatres where children could be educated and trained under something like proper supervision. What I wish to point out, and what every Member should bear in mind in voting on the division, is, that the Amendment covers all licensed places of amusement, and the very lowest music halls and dens of the worst character, where it would be a monstrous absurdity to talk of any desirable education being given to the children.

*THE UNDER SECRETARY FOR THE HOME DEPARTMENT (Mr. STUART WORTLEY, Sheffield, Hallam): A clause has already been passed which imposes a penalty in case of treatment of children in any way injurious to health. As to the provision of proper instruction it is the duty of the School Boards to put the enactments on that point in force. The only question to be dealt with is the question of hours. A deputation of managers came before me a short time ago and informed me that they did not want the children after 10 o'clock, and they alleged that they never employed them after that hour. I beg to point out to the Committee that the question of cruelty is already met by the Bill, and the case of education by the existing law, and there only remains the question of hours, which is a matter for compromise. The present purpose of hon. Gentlemen opposite is under the guise of an enactment against cruelty to children, and in a clause directed apparently against public houses alone to deal with the employment of children in theatres. I entreat the House not in this way, by a side wind, and without notice to the public, to endeavour to deal with the matter in this way. If these children were not in the theatres where would they be? [An hon. MEMBER: In bed.] Is leaving the children of the poor alone to roam about the streets and forbidding them to be employed in what may be a

healthy employment in theatres, treating them as we should treat our own children?

MR. WILSON NOBLE (Hastings): With reference to the performances of acrobats, there is a great difference between preventing children from performing and prosecuting their employer for any injuries which might be sustained by them in consequence of such performances. I would like to ask the Attorney General whether power might not be asked to prevent the performance of children as acrobats. I would like also to ascertain whether children will be allowed to perform in travelling circuses. The Bill alluded to performances in "any street," but on turning to the definition of the word "street" I find that it includes any highway or other public place, whether a thoroughfare or not. I cannot help believing that under those circumstances the Bill will not prohibit the performances of children in circuses. Whatever may be said as to the employment of children in well managed theatres and places of that kind, there surely cannot be any doubt that it is undesirable to allow children to perform as acrobats in travelling circuses. If the Committee should decide to adopt the hon. and learned Attorney General's Amendment, I think some provision should at all events be made for the prevention of acrobatic performances by children at circuses or similar places.

*SIR A. ROLLIT: I venture to suggest that the Committee should give heed to the observations of the right hon. Gentleman in charge of the Bill. We are indebted to him for a large amount of work, and for having secured recognition of principles which will be of the greatest practical value in the effort to improve the lives of our children. It is quite clear that there is a large amount of opposition to the principle of this Amendment, and the consequence may be that it will be delayed or prevented from passing altogether. I hope, therefore, the Amendment will not be pressed on the ground, not of its own merits or demerits, but because it may jeopardize the passing of a useful Bill. Beyond this I express no opinion on the Amendment itself.

*MR. GEDGE (Stockport): We cannot have our own way on all points, and, for my part, if I were defeated on an Amendment, I should vote for the Bill with or without that Amendment. I hope, therefore, the Committee will not listen to the argument which has just been adduced. As to the contention that the clause respecting cruelty excludes the necessity for this clause, that would mean that we ought to strike out everything in the Bill except that clause. It is, of course, necessary that we should go into detail. I would point out that the London School Board has done all it could to stop the employment of children in entertainments; but they have been prevented by the clause in the Act which provides that the children may be taken into employment provided that the employment does not interfere with their effective education. The result is that the employers in some cases profess to give education to the children, and in the others the children are sent to the Board Schools. But though they attend school they get no education because they are asleep all the time. No fine is inflicted because the Magistrates generally take a sympathetic view of the case. I do not complain of the Magistrates because they act according to their lights, but I do point out that the present clause in the Education Act has little effect, and that we need something else.

*MR. MUNDELLA: I would appeal to the Committee to allow a division to be now taken. I shall support the Attorney General, who has given so much time and labour to the Bill. I have consulted the Society for the Prevention of Cruelty to Children, and the Rev. Henry White, formerly chaplain to the Speaker, who takes great interest in the question; and I am assured that it would be a mistake to interfere with this employment, and that no case of cruelty has ever arisen. Under these circumstances, I do not think it would be right to imperil the Bill by weighting it with this clause, and I, therefore, cannot accept the Amendment, but shall loyally stand by the Attorney General.

The Committee divided:—Ayes 80 Noes 129.—(Div. List, No. 158.)

*MR. GEDGE: The opinion of the Committee having been manifested in an unmistakable manner I now propose to give full effect to the decision arrived at by adding after the word "liquor" the words, "or premises

licensed according to law for public entertainments." It is clear that the sale of liquor has nothing to do with the decision at which we have just arrived, our intention is to prevent the employment of young children in public entertainments. The question is not of alcohol, but cruelty. We have determined that it is cruel so to employ a child of tender age, and to give effect to this I move the Amendment, which needs no further discussion.

Amendment proposed, line 30, after the word "liquor," insert "or premises licensed according to law for public entertainments."

Question proposed, "That those words be there inserted."

*SIR R. WEBSTER: Of course it is our duty to accept the decision of the Committee and to give effect to it. Clearly the principle upon which the decision has just been taken had not reference simply to premises in which liquor is sold, but all places of entertainment. This Amendment will cover the case of travelling shows and circuses. I think it right to accept the Amendment, looking to the decision already arrived at.

Question put, and agreed to.

MR. KELLY: It is unnecessary for me to delay the Committee with an explanation of the Amendment which is consequential on what has gone before.

Amendment proposed, to leave out the words, "Or any other purposes of profit."

Amendment agreed to.

MR. WALTER M'LAREN: I have withdrawn a number of Amendments, sharing in the anxiety that the Bill should get through Committee to-day, and I will say but a few words with reference to this Amendment I now propose to move. The limitation is one I think we really ought to insert in the interest of a poor parent who really has no home where he or she can leave the child. I design to meet such a case as you may often see, and especially in towns in the North of England in the manufacturing districts, where a mother may have a child or two under ten years of age with her while she goes about the street singing. My Amendment is limited to the parent or the proper guardian of the children. Of course if the mother is begging she comes under the ordinary law, but if she is not begging but singing then the clause as it stands would subject the mother, under the circumstances I have mentioned, to a punishment of six months' imprisonment. That, I think, would be hard treatment. We have by Sub-section 1 amply provided against any case of cruel exposure of a child to unnecessary suffering or treatment likely to be injurious to health, but in the case I wish to meet I assume the parent has no place to leave the child and no one to leave it in charge of. It may be that the parent has only the share of a room for shelter at night and no place to leave her child while she is out. The Amendment would meet the case of many deserving but very poor persons who do not wish to go into the workhouse. It seems to me reasonable, and I hope it will be accepted by the right hon. Gentleman in charge of the Bill.

Amendment proposed, to add after the words last inserted—

"Unless it be proved, in the case of a child in a street, that such person is the parent or proper guardian of such child, and has no suitable place in which, or no suitable person with whom, he or she could leave such child at the time in question."

*MR. MUNDELLA: I really cannot accept the Amendment. It strikes at the very root of the Bill. The parent, or the person who occupies the position of parent, would be allowed to do the very things that, by the other part of the clause, we have prohibited. If a parent is in the houseless, homeless condition referred to by my hon. Friend, then I think it is that parent's duty to take the child to the proper place where shelter and food is provided. We have, by the Poor Law, made provision for such cases, and private charity has supplemented the provision thus made. The Amendment would leave open the door to the very evils we desire to put an end to.

*SIR R. WEBSTER: I would just point out to the hon. Member for Crewe that the language of his Amendment scarcely seems to carry out his intention. The mere fact of the parent or guardian not having a place of abode should not be a sufficient defence in the case of a child assisting the parent in singing, performing, or selling. It requires a

little more consideration. The provision does not seem to meet the case as the hon. Member, I think, desires.

MR. M'LAREN: The offence under Sub-section 4 is what I mean the Amendment to apply to. I think some words might be framed to meet the case, and I was under the impression these words did so. I will not, however, persist in the Amendment.

Amendment, by leave, withdrawn.

Amendments proposed, line 3, leave out "on indictment or;" line 6, leave out "one hundred," and insert "fifty;" line 8, leave out "six," and insert "three;" line 9, leave out from "Provided" to end of clause.—(*Mr. Attorney General.*)

Amendment agreed to.

Clause, as amended, agreed to.

Clause 2.

MR. KELLY: I have an Amendment to move to the effect that a person shall only be taken into custody in any case in which the constable is unable to ascertain his true address or may be given a false address. Under the clause a constable may, without warrant, arrest any person who commits any offence under the Act. That may or may not be necessary, but I think it must be obvious that where a constable has every facility for ascertaining the address of the alleged defendant, where the latter has not given a false address, that there is no need for such a power. It cannot be desirable that it should be in the power of a constable to drag an unfortunate person charged with an offence under this Act through the public streets, and that nobody should be responsible for it. I, therefore, ask the Committee to accept a very simple limitation of this power.

Amendment proposed, Clause 2, page 2, line 18, after "this Act" insert "in any case in which such constable is unable to ascertain the true address of such person, and may be given a false address by such person."—(*Mr. Kelly.*)

*MR. MUNDELLA: There is nothing more embarrassing to a constable than to have to decide whether a person has given a proper address or not, and the chances are that in a case of this kind a proper address will not be given. How is the constable to know whether the address is a true one, unless he takes the offender to the station? The adoption of this Amendment would really render a conviction exceedingly difficult in many cases.

*SIR R. WEBSTER: What my hon. and learned Friend desires apparently to prevent is the taking of a man into custody improperly. I have put an Amendment on the Paper to provide that the person charged shall be immediately released on bail, and it seems to me that that will be a far better provision than one which would place difficulties in the way of the constable in bringing an offender to justice. I think it would not be wise to interfere with the right of a constable to take a man into custody in the first instance where he has seen the offence actually committed.

*MR. TOMLINSON: I should like to know why this clause is necessary at all. What is there in these offences that requires a special mode of treatment?

*SIR R. WEBSTER: I think my hon. and learned Friend has not noticed that these offences may be tried on summary conviction, as well as on indictment. The principle he has in his mind probably is that a constable may arrest a person found attempting to commit a felony; where an offence comes under the rule relating to summary conviction by no means the same law applies. I think the clause is necessary.

MR. KELLY: I would ask the hon. and learned Attorney General whether he thinks it necessary for a constable to take a person into custody whether he knows the person's address or not? I cannot believe the Committee will allow every inexperienced constable to arrest for perhaps the very venial offence of causing a child to sing a few words in the street, although he knows the person's address.

MR. CAVENDISH BENTINCK (Whitehaven): I did not hear the earlier part of this discussion, but I quite agree with what has fallen from my hon. and learned Friend (Mr. Kelly.) I have been resident in London for a great many years and have the greatest possible respect for the police force, but I have seen instances of very considerable indiscretion on their part. There was a case of most distinct perjury committed with regard to persons in my

employment. I endeavoured as far as I could to have justice done. The police brought one witness after another to try and prove their case, but they broke down before the Police Magistrate, who dismissed the summons on account of insufficient evidence. That case has occurred within my own knowledge and may occur again. I quite agree, therefore, that those unlimited powers ought not to be given to the police.

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (MR. MATTHEWS, Birmingham, East): I do not know whether my hon. and learned Friend the Attorney General will consent to modify the clause in accordance with the wishes of hon. Members, or to make it the same as a clause in the Metropolitan Police Act, which provides that a constable may take into custody a person committing an offence in view of the constable where the name or residence of the person may be unknown to the constable and cannot be ascertained by him.

*MR. BARTLEY (Islington, N.): I think this is too great a power to give to a policeman, under circumstances in which the person accused is usually known to live in the district, so that his address can be easily ascertained. I, therefore, hope the clause will be modified.

*SIR R. WEBSTER: I think it would be desirable to insert the words suggested by my right hon. Friend the Home Secretary.

Amendment, by leave, withdrawn.

*MR. GEDGE: I now move the omission of the words — "or any such Act or enactment, as aforesaid." It may be desirable, though it must be fenced in with safeguards, to allow a constable to take into custody a person who, in his view, has committed an offence under this Act. That seems to be a strong measure under this Act, but, to extend it to other Acts, goes beyond what I think the Committee will assent to. Unless the clause be modified, it will be possible to arrest a man who employs a shoe-black in the street under the prohibited age.

Amendment proposed, Clause 2, page 2, lines 20 and 22, to leave out "or any such Act or enactment, as aforesaid."—(*Mr. Gedge.*)

*SIR R. WEBSTER: I think that if there be any Act necessary to be included it had better be specially named. Certainly it would not be wise to put in these general words, because they might cover some future Act.

*MR. MUNDELLA: The reason why other Acts are referred to is that the Dangerous Performances Act, the Offences Against the Person Act, and the Criminal Law Amendment Act are very largely frustrated by these conditions as to arrest, the custody of the child, or the action of the parents, and we thought that those Acts should be put into line with this one. I will, however, omit the words and will specify those three Acts.

*MR. TOMLINSON: I am quite unable to conceive why the Criminal Law Amendment Act should be included.

*SIR R. WEBSTER: I think it would be a little dangerous to insert the Acts without examination, because some of them may contain provisions that would need modification. I think the better plan will be for the right hon. Gentleman to give me the names of the Acts, and I will endeavour to get them inserted before the Report stage.

Amendment put, and agreed to.

SIR R. WEBSTER: The next Amendment is, in Clause 2, page 2, line 19, after "Act" to insert—

"Where the name or the evidence of such persons shall be unknown to such constable and cannot be ascertained by such constable."

Amendment put, and agreed to.

MR. M'LAREN: I trust my right hon. Friend will be able to assent to the Amendment standing in my name—namely, to insert—

"If he be convinced that such a course is necessary in the interest of justice, or to prevent immediate injury to the health of the child."

It seems to me to be absolutely necessary to put some restriction on the unlimited power of constables to take people up for the mere technical violation of this Act. In many parts of the country the Courts of Summary Jurisdiction meet only once a fortnight, and it might be a very serious thing to detain a child for safe custody for that length of time. The main object of the clause will, however, be met if my Amendment is adopted.

Amendment moved, Clause 2, page 2, line 27, after "may," insert—

"If he is convinced that such a course is necessary, in the interest of justice, or to prevent immediate injury to the health of the child."

MR. H. H. FOWLER: I think my hon. Friend has rather misunderstood the meaning of this clause. It has nothing to do with the arrest of persons committing an offence, but simply relates to the safe custody of the child. My hon. Friend objects to the constable being invested with discretion, but he proposes to invest him with the discretion of deciding whether a certain course is necessary in the interest of justice or to prevent injure to the child. It must be remembered that policemen are under rules and regulations, and are not allowed to run riot in dealing with the liberty of the subject. A constable would have to justify to his superior officers whatever course he took under this clause. I think the clause is meant to deal with a case where some brutal injury has been inflicted on a child, and the police dare not intrust the child to the custody and control of the person who has committed the outrage. I think the Committee had better not adopt the Amendment.

*SIR R. WEBSTER: As the clause now stands it applies only to cases where offences have been committed in view of the constable, and it seems to me that if there is any reason to apprehend further injury being inflicted on the child means ought to be taken for placing it in safe custody. It is only a case of temporary guardianship of the child. The effect of this proposed addition to the clause would be rather to hamper the constable in cases where it is desirable that he should exercise his authority, and at the same time it would provide no corresponding safeguard.

*SIR A. ROLLIT: I would point out that we have already imposed on the constable the duty of finding out the address, and if we adopt this Amendment we shall be placing too much work and responsibility, in my opinion, upon his shoulders.

MR. M'LAREN: The right hon. Gentleman the Member for Wolverhampton says that this part of the Bill has reference to brutal assaults and the prevention of further cruelty to children. That may be, but the clause is actually without limit, and deals with offences of the very slightest description—such as a child singing in the street or begging, where there is every kindness on the part of the parent, or being employed after a certain hour at night. If the constable chooses he may at once take the child away. I am quite ready to give the constable the right to take the child away where it is in the interests of justice, but I confess I am not willing to give him unlimited power, in the cases of trumpery breaches of this Act, to take away a child from its parents for possibly a whole fortnight.

*MR. MUNDELLA: The power is actually already given under the Vagrancy Act, and under the Industrial Schools Act. I would remind my hon. Friend that the greatest acts of cruelty are often committed under the pretence of begging in the streets, and that no greater misery can be inflicted on children than is imposed by tramps who take them about, and who obtain alms by exposing them, often not only in a state of destitution but absolute disease. The cases which occur are absolutely appalling.

*SIR R. WEBSTER: The argument based upon the Vagrancy Act does not apply in this instance inasmuch as the child is the offender. This clause only applies to cases in which the constable takes away by force of law a child from its guardian, keeping temporary possession of it, until a Magistrate has dealt with the case. It would only come into operation when serious offences had been committed under this Act.

*MR. BARTLEY: As regards cases of cruelty, this is, no doubt, a very proper power to give; but in simple offences, such as employment after hours, it is a very strong power to confer on the police. A policeman who had a spite against some parents might be tempted to inflict considerable hardship on them under this law.

*MR. MATTHEWS: The right hon. Gentleman has mentioned one particular and extreme case, and overlooks the fact that the clause covers a vast number of other cases. Take an extreme case the other way. A girl verging on 16 years of age might be taken out of the street

by a constable, to a place of safety, though I know of no such places. Is it to go to the house of a married friend and ask them to take the girl in until the Magistrate has dealt with the case? I can understand some provision of this sort being necessary for little children, but not that a girl of 16 years should be walked off without her friends or relations knowing where she is. There are no "places of safety" in the country, so far as I know, to which the constable could take girls in this way.

*MR. MUNDELLA: The Home Secretary has taken an extreme case, and one which probably will never occur. He says he knows of no places of safety to which a child could be taken. There are several such places in the Metropolis, and the Chief of the Police knows them and has recommended that children shall be taken to them. But the right hon. Gentleman has not said one word about the great mass of children on whom the offence of cruelty is committed. Within the last two or three weeks there was an appalling case in my own constituency, in which three children were taken to the workhouse. No words can describe to the House the condition of the children—starving, eaten up with vermin, the oldest child almost demented, and the three of them eating raw fish, refuse of the fish market, while at their home was an uncooked joint of mutton, which the mother had allowed to go putrid while she was drunk. The children were cleaned and washed, and put in a place of safety, the police could not do anything for them; the parents were sent to prison for six months. I hope the Home Secretary will not exercise his legal mind to so refine the Bill that we shall really not be able to accomplish the end we have in view.

*MR. J. M MACLEAN (Oldham): The right hon. Gentleman has now frankly explained that children who are the victims of acts of cruelty are to be taken to the workhouse. What is the meaning of cruelty under this Bill? Apparently, it is to be considered cruelty to employ a child in a theatre, and children of tender years are to be deprived of useful and regular employment. If this employment in theatres is to be interpreted as cruelty, the constable has power to search the house and take the child away to the workhouse.

*MR. H. L. W. LAWSON (St. Pancras): I consider the words of the Amendment are mere surplusage, because they only enact that the constable may take a certain course if he is convinced that it is necessary in the interest of justice. I do not see that that constitutes any safeguard to the child, as my hon. Friend wishes to do, and it is left just as much as before to the common sense and judgment of the constable, which are in most cases considerable. I most certainly think we are wasting time by any further discussion.

MR. J. KELLY: I cannot agree with my hon. Friend, and I think we may fairly demand that some limitations should be given to this power, and that the constable shall not take up any person without a warrant, or take children to some indefinite place. The right hon. Gentleman (Mr. Mundella) has referred to places of safety in the Metropolis; but where are there such places in remote country towns, and what are the offences for which a person is to be deprived of the society of his child? I am not inclined to give the police unnecessary discretion, and I venture to think that this power must be absolutely limited to offences under the section.

*MR. HENEAGE (Great Grimsby): The words of the Amendment simply restrict the power of the constable, who might otherwise take a child before his superior officer, and allow him to judge, whether it should be taken to a place of safety. The hon. Member for Crewe

says that in most places the Magistrates do not sit more than once a fortnight. But these acts are likely to take place in a town, and I do not think there is a single town in which the Magistrate does not sit every day. I agree with my hon. Friend that the words are pure surplusage, or that they would be extremely mischievous.

*Mr. C. DARLING (Deptford): This Amendment must be entirely illusory if passed, and would unduly cripple the police in the exercise of their duty, or would lead to absolutely nothing at all. Because if the police were proceeded against for taking away a child he would say, "I was convinced it was in the interests of justice," or that he had done so to prevent further cruelty to the child. There are no means of finding out whether he was convinced or not; it is quite enough for him to say he was. If he did not say so he would expose himself to an action for false imprisonment. That is the position you put the policeman in. If an action for false imprisonment were brought against him he would have to prove that his act was necessary in the interests of justice, or to prevent injury to the child. I should like to point out that there is no such thing known to the law as "a place of safety" to which a child could be taken. A policeman might take a child to his own house, and might have an action for false imprisonment brought against him, because it was not a place of safety. And suppose he took the children to some public institution—the workhouse or an hospital—I am not aware that there is any obligation imposed to receive the child. If you pass the Act with such words as "taken to a place of safety," within a month you will have a whole crop of actions to decide what are places of safety. I think the police should not be left in the difficulty of having to decide what is a place of safety.

Mr. M'LAREN: I do not wish to press the matter further. The sense of the Committee is against me, and to go to a division would be simply to register a foregone conclusion. Still, I protest against the clause, and the unfettered discretion which is given the constable. I beg to withdraw the Amendment.

Amendment, by leave, withdrawn.

*Mr. TOMLINSON: I wish to move an Amendment to insert after the word "to" the words "workhouse or some other place authorized for the purpose by the Secretary of State." The words "place of safety" are admittedly too vague, and ought to be defined in some way.

Question put, "That those words be inserted."

*Mr. MUNDELLA: Provided the hon. Gentleman is ready to agree to it, I am quite willing to accept that Amendment.

*Sir R. WEBSTER: I have only heard the Amendment this moment, and I should want to advise with the Home Secretary as to whether there would be any difficulty in providing such places. Still, it seems to me that the "place of safety" should be defined very carefully, and I should be disposed to accept the Amendment.

*Mr. MUNDELLA: If the hon. Member will withdraw his Amendment now, it could be considered on the Report stage after the Attorney General had advised with the Home Secretary. These refuges are springing up not only in London but all over the country, and I think we might between this and the Report stage decide upon a form of words which will meet the case.

Mr. M'LAREN: May I ask whether it is intended to give voluntary societies the power to keep a child in custody in one of their homes, or places of safety, for a fortnight? If so, I think it is a most monstrous proposition.

*Mr. TOMLINSON: On the understanding that the mode of defining the place of safety is to be fully considered on Report, and that a definition is to be inserted at that stage, I will ask leave to withdraw my Amendment.

Mr. LEES (Oldham): Instead of the hon. Member's Amendment I would suggest that the Local Authority should

be required to provide the place of safety.

MR. H. H. FOWLER: I think the suggestion of the hon. Member for Oldham a good one, that the Local Authority should be left to define the place of safety.

MR. CAVENDISH BENTINCK (Whitehaven): Before we part with this Bill, I want to know what position we stand in; and before we part with the Amendment of the hon. Member for Preston, I should like to know whether it is intended that private places are to be considered "places of safety?" I hope the right hon. Gentleman will, if possible, give us a definition of this clause. I presume that in the Definition Clause there will be a definition of the term "place of safety." Does the Attorney General intend to include under that head private institutions? I think that is a point which may be fairly put to the right hon. Gentleman in charge of the Bill.

*SIR R. WEBSTER: In reply to the right hon. Gentleman, I may say that my own view is this—that it would be desirable to define a place of safety in the Interpretation Clause. If the Local Authority thought that a home for outcast children in Birmingham or London was properly managed, surely there would be nothing improper or unwise in allowing that Local Authority to certify that the place was a proper one for the reception of children. I never intended that a child should be handed over for any indefinite length of time to a voluntary institution; but it was contemplated that there should be some means by which such institutions should be allowed to take charge of these children. What is desired is that they should be allowed temporarily to take charge of a child.

MR. H. L. W. LAWSON: Might I point out that in the Metropolis it will be advisable to give this power to the County Council. I know that the London County Council has, and exercises, certain functions in regard to the custody of children with a staff of inspectors.

MR. BRUNNER (Cheshire, Northwich): I should like the Committee to realize what it is about. It seems to me, Sir, that we are on the point of creating a new class of prison all over the country. Licensed places of safety for the detention of children—whether it be for a week or a fortnight—are really nothing but another class of prison. Now, Sir, I cannot see the necessity for a definition of the term "place of safety." We know that all over the country there are Committees of the National Society, and ladies and gentlemen have taken upon themselves the responsibility of rescuing children. I hope to God that they will continue to do so, and I have very little fear that any action against them for false imprisonment—in connection with their action in rescuing children—would have serious results.

Amendment, by leave, withdrawn.

MR. KELLY: I now rise to ask the right hon. Gentleman if he will limit the clause so as to provide that removal to a place of safety shall only take place in connection with the more serious offences under this Act. I think that the cases in which a costermonger has kept his child at work for a few minutes after 10 o'clock on Saturday night are not those in which these clauses should operate; and therefore I venture to ask the right hon. Gentleman if he is willing to accept an Amendment and omit such cases?

Amendment proposed, Clause 2, page 2, line 28, insert the words "cases under Sub-section 7, Section 1, of this Act."

SIR R. WEBSTER: I do not wish to fetter the judgment of my right hon. Friend; but I think the Amendment which has been proposed will meet a good many of the objections which have been urged. If it appear on the face of the Bill that the power of

the constable is limited to offences under Sub-section 1, Clause 1, I think it is worth while considering whether it would be desirable to limit the power of the constable to offences committed under this sub-section.

MR. HENEAGE: Would the right hon. Gentleman object to including Sub-section 2 in this Amendment? I think it would be a fair compromise.

*MR. MUNDELLA: I am willing to accept the Amendment and to make it apply to Sub-sections 1 and 2. Our desire is that the omission shall not affect cases of begging.

Question, "That the words 'such offence' stand part of the Clause," put, and agreed to.

Further Amendment proposed, "That the following words be inserted, 'all offences under Section 1, Sub-sections A and B, of this Act.'"

Amendment agreed to.

*SIR R. WEBSTER: I have now to propose the insertion of the following words at the end of Clause 2, page 2:—

"Where a constable arrests any person without warrant in pursuance of this section, the inspector or constable in charge of the station to which such person shall be conveyed, shall, unless in his belief the release of such person on bail would tend to defeat the ends of justice, or to cause injury or danger to the child against whom the offence is alleged to have been committed, release the person arrested on his entering into a recognizance, with or without sureties, as may in his judgment be required to secure the attendance of such person upon the hearing of the charge for his appearance at the time and place mentioned in the recognizance."

Amendment agreed to.

Clause, as amended, agreed to.

Clause 3.

MR. M'LAREN: I am sorry to have to move another Amendment; but I think the words "a person having custody of a child" are excessively vague, and I, therefore propose to substitute the words "lawful parent or guardian." As the clause stands at the present moment, taken in conjunction with the last line of Clause 1, I am sure I am correct in saying that any person under sixteen years of age, who has the custody or control of a child for the moment, comes under this clause, because the same words are used here as in Clause 1. Therefore, if an elder brother, or sister, or any person under the age of sixteen years, is found committing an offence under this Act, it might lead to that child being taken away from its parents and handed over to the control of another person. I am sure that that is not the desire of my right hon. Friend. What he seeks is to take away the control of a child from bad parents or bad guardians, and therefore I would suggest that the Amendment should be accepted.

Amendment proposed, Clause 3, page 2, line 38, leave out "a person," and insert "the parent or lawful guardian."

*MR. MUNDELLA: I think that the Amendment of my hon. Friend will leave out the very worst cases of offences committed against a child. Supposing the child is in the custody of a brother or sister, the Court will only see that the child is returned to its proper guardians, and should its proper guardians be the parents they will have the custody of it. What we want to cover is cases of children whose parents or whose guardians are not properly fulfilling the duties of guardianship, and in those cases we want to secure that the child shall be handed over to the custody of some proper person.

MR. M'LAREN: If the child were in the custody of an elder brother or sister who was treating it badly, then the magistrates would simply take it out of the hands of that brother or sister, and hand it back to the parent in whose custody the child had been the same morning. Now, I want to safeguard the child against improper treatment, and I am quite willing to accept any words which will do that, so long as the persons who practically hire a child and then illtreat it shall be brought under the operation of the section.

*SIR R. WEBSTER: It seems to me that this matter requires consideration. I do not think that we need trouble ourselves with the case of a brother or sister taking out a child and illtreating it. That would be simply a case of misconduct on the part of a particular individual towards a particular child; but it does seem to me, as the hon. Member points out, that this clause does not apply to the case of a person having the mere custody or control of a child for a temporary period, and I think it ought to be amended in order to include such cases. I would suggest the Amendment should be altered so as to cover the case of a person who is entitled to the custody or control of a child. What we want to get at is the case of persons who act *in loco parentis*, who are in the position of guardians, and who may commit offences which come under this clause.

*MR. SAMUEL SMITH: I should like to ask the Attorney General if this form will include the case of the Italian padrone? I am aware that there are cases of men in this country who import as many as 50 children from Italy, and send them about the country with musical instruments. Many of these children are purchased from their parents in Italy; and I wish to know whether such a person would be regarded as a person entitled to the custody of such children, and whether he would come under the operation of this clause?

*SIR R. WEBSTER: I should think that the clause would cover all such cases. If the padrone is in charge of little children, it may be assumed that under his contract he is in lawful custody of them, and he will be held to be the person entitled to the custody and control of the children.

*MR. BARTLEY: I wish to raise another point. There are a great many children who are simply in the possession of other persons for a temporary period, and I wish to know whether those persons will come under the operation of this Act?

*MR. MUNDELLA: I think it may fairly be assumed that persons who are in temporary charge of children will come under the operation of this section.

*SIR R. WEBSTER: I also think it may fairly be assumed that cases such as that of an Italian padrone having charge of children will come under the operation of this section; but I do not think the hon. Member has strengthened his case by suggesting that if an elder brother or sister is found illtreating a child, that child may be taken out of the custody of its parent or lawful guardian by the police. I cannot imagine such a case occurring, because I believe the natural action of the magistrate before whom the case comes would be to hand over the child to its parents.

*MR. MUNDELLA: I think we can best deal with this matter in the Definition Clause.

Amendment agreed to.

*MR. TOMLINSON: My object in moving the next Amendment is to secure that care is taken before allowing irresponsible people to undertake these cases. I am one of those who do not place unlimited confidence in the discretion of people who take up cases from philanthropic motives. I prefer to make the Court responsible for carrying out the proceedings it initiates.

Amendment proposed, Clause 3, page 2, line 39, leave out from "any" to "and," in line 40.

MR. WHARTON: May I point out to my hon Friend who has just spoken that the words which are contained in the Industrial School Act are "any person may bring before the Justices or Magistrates." In this clause we are only following the language of the Industrial School Act.

*MR. TOMLINSON: What I want to secure is that there shall be some proper person to take up these cases. It ought not to be a matter of chance whether a person shall come forward to undertake

the responsibility of dealing with such cases.

*MR. MUNDELLA: I hope that the hon. Gentleman will not press this Amendment. I trust he will bear in mind that societies are formed in nearly every town in England which are only waiting for the passing of this Bill in order to take proceedings under it, and I am sure we ought to be thankful that there are societies which are willing to take these steps.

*MR. TOMLINSON: I do not propose to prevent any one taking up these cases; but I want to ensure that they are always taken up.

Amendment negatived.

*SIR R. WEBSTER: I now beg to move the insertion of the words "taken out of the custody of its parent," after the word "be" in line 41. If the person inflicting the cruelty is the parent, and the magistrate thinks it is expedient to take the child out of the parent's custody, he will so order. Of course, if the words I propose do not constitute a sufficient safeguard, a proviso can be inserted to the effect that no child shall be taken out of the custody of the parent or guardian unless the parent or guardian has been a party to the offence.

Amendment proposed, Clause 3, page 2, line 41, after "be," insert "taken out of the custody of its parent."—(*Sir R. Webster.*)

Question proposed, "That those words be there inserted."

MR. W. M'LAREN: I think it will be necessary to add words to those mentioned by the Attorney General. We must deal with the verbal meaning of the words of the clause. A child might be taken out of the custody of its parents and handed over to anyone else.

MR. MATTHEWS: I cannot think that the words suggested by the Attorney General are the best words that could be found. What I had in my mind was that the Court should take the child from the actual custody of the person committing the offence.

*SIR R. WEBSTER: My proposition is that the section should only be applied where the parent or guardian—and I mean by that the person defined in Section 8 as being the person liable to maintain the child—has been accessory to the offence.

Question put, and agreed to.

Amendment proposed, Clause 3, page 2, line 42, leave out "for any period."—(*Sir R. Webster.*)

Question, "That those words stand part of the clause," put, and negatived.

MR. WHARTON: I desire to suggest an Amendment in line 42. It is to insert after "to" the words "an industrial school in other proper place of detention for such time as the Court may think fit, or." It appears to me that the children contemplated by this clause would be exactly in the condition of children who are now committed, with good effect, to industrial schools, and that an industrial school is the right place to send them. If they cannot be sent to an industrial school, I am willing they should go to the next friend, or any other fit person named by the Court.

Amendment proposed, Clause 3, page 2, line 42, after "to" insert "an industrial school or other proper place of detention for such time as the Court may think fit, or."—(*Mr. Wharton.*)

Question proposed, "That those words be there inserted."

*MR. MUNDELLA: I think an industrial school is covered by the words "or any other fit person named by the Court;" but that an industrial school should, in all cases, be the first place to which children should be sent I think is a mistake. Experience has shown that there are cases constantly arising where children, instead of being sent to industrial schools at the expense of the public, are taken care of by their next friend—by an aunt, grandmother,

sister, or some other relative in the neighbourhood. If these children are committed to industrial schools, they will have to associate with children who have come to the verge of crime. They may be delicate and refined children, and well brought up otherwise, and to be committed to an industrial school, through no fault of their own, would, I think, be a misfortune to them.

MR. WHARTON: Perhaps the right hon. Gentleman will pardon my interrupting him. It is not my intention to make it obligatory on the Court to commit a child to an industrial school. All I want to do is to give the Court the choice between an industrial school and the next friend, or any other person it may think fit.

*MR. MUNDELLA: If there is not a next friend the Court may commit to an industrial school. Experience of the cases of 330 children shows that 180 children were restored to their homes under supervision; 40, withthe offender's consent, were placed in the custody of the child's relatives; six, belonging to superior families, were placed in new custody, under orders of the High Court; 70 were received in charitable institutions; 20 were adopted by strangers; and only 14 were committed to industrial schools. There was thus a saving to the public purse of £6,000 per annum.

MR. PICTON: I do not think that preference ought to be given to industrial schools; but it ought to be made clear that the words of the clause covered committal to industrial schools.

MR. HENEAGE: Words might be inserted providing that in case of the Court being unable to find any friend to whom to send the child, they might send it to an industrial school.

MR. MATTHEWS: The whole of the industrial school system rests upon the theory that the children committed there are probable criminals. Some children coming under this Bill may belong to that class; but I think they would be a rather small minority.

MR. WHARTON: I will not press the Amendment. I do not recognise the children committed to industrial schools as probable criminals, although no doubt many of them are taken out of the atmosphere of crime. The industrial schools with which I have to do are always open. If the boys choose to run away they can; but we find that boys prefer to feel that trust is placed in them rather than that they are treated in any way as criminals. It might be inferred from the remarks of the right hon. Gentleman in charge of the Bill that industrial school boys are not happy boys. I never saw a happier set of boys than I saw at the industrial schools which I visited last week.

MR. MILVAIN: What is to be done with a child in the event of there being no next Friend?

*MR. MUNDELLA: I have stated that of 330 children only 14 were committed to industrial schools.

Amendment, by leave, withdrawn.

Amendment proposed, Clause 3, page 2, line 42, leave out from "of" to "fit," and insert "some proper person to be." —(*Mr. Tomlinson.*)

Question proposed, "That the words 'of its next friend, or any other fit' stand part of the clause."

*MR. MUNDELLA: The next friend is sometimes the mother of the child. If the father has been guilty of cruelty, the guardianship of the child may be assigned to the mother or to the next nearest relative. I think, in practice, that will be found to be the case; but I will not undertake to say what the legal definition of "next friend" is.

MR. BARTLEY: I think we should keep up the idea that these children should go to their next friend.

MR. TOMLINSON: I have proposed this Amendment owing to the difficulty of defining the legal meaning of "next friend." The "next friend" may be an entire outsider.

*MR. D. CRAWFORD (Lanark, N.E.): I am inclined to agree with my hon. Friend that "next friend" is strictly a legal term. This Bill applies to Scotland, where "next friend" has no meaning whatever; no magistrate in Scotland knows what "next friend" means, and I do not. I

would much prefer some popularly understood phrase.

MR. MATTHEWS: I am sorry the Attorney General is not present to state his view as to the legal aspect of the question. Personally, I fancy that in law there is no "next friend" until the Court has appointed one.

*MR. S. GEDGE: I do not think the words "next friend" are the best. "Any proper person" conveys the whole meaning.

*MR. MUNDELLA: There can be no harm in the words remaining in the clause, because they indicate that the child shall go to the nearest relative, or if not to him or her then to some other suitable person.

*MR. TOMLINSON: But they do not indicate that.

*MR. CHANNING: Surely on Report the Attorney General can introduce words which will meet the point.

MR. BRUNNER: Would the right hon. Gentleman consent to "a relative" being put in instead of "next friend?" The clause would then read "the child be committed to the charge of a relative or any other fit person."

*MR. MUNDELLA: I will undertake to confer with the Attorney General between now and Report. If it is found that any better words than "next friend" can be inserted I will take care they are used.

Amendment, by leave, withdrawn.

Amendment proposed, Clause 3, page 3, line 1, after "Court," insert "until it attains the age of fourteen years, or in the case of a girl sixteen years, or in either case for any shorter period."—(*Sir R. Webster.*)

Question proposed, "That those words be there inserted."

*MR. TOMLINSON: Why is the age fixed at 16 in the case of girls?

*SIR R. WEBSTER: The Court has, of course, discretion; but it seemed to us strange to insert one age for the offence and another age for the custody of the child.

Question put, and agreed to.

MR. KELLY: I beg to move the Amendment which stands in my name, and I think that, in common fairness, the parent should receive notice as to where the child has gone. We are surely not to suppose that a bad person cannot improve, or that a parent who has once been cruel to a child can have no affection for it afterwards. It may be that a parent has been cruel to a child in a drunken fit. I certainly think parents should have some opportunity of knowing what order has been made with reference to their children.

Amendment proposed, Clause 3, page 3, line 2, after "order," insert "but notice of such renewal, variation, or revocation, shall be given to the person convicted of committing an offence against such child."—(*Mr. Kelly.*)

Question proposed, "That those words be there inserted."

*SIR R. WEBSTER: I think the Amendment would go beyond what is necessary. Take the case of a padrone or of a gipsy. Is it necessary to send about the country to give such persons notice of the safe-keeping of the child? Is it not sufficient that notice is given to the parent?

MR. KELLY: I am afraid that would not go far enough; there are cases in which others than parents are concerned.

*SIR R. WEBSTER: Sufficient defence is given by the words, "every person by law liable for the maintenance of the child." If the hon. Member does not wish that notice should be given to the gipsy or the padrone, as I have mentioned, perhaps he can suggest some form of words that will meet what he desires. Say, notice of such renewal, &c., to the parent of the child.

MR. KELLY: My meaning is person having lawful custody. However, I will not press the Amendment.

Amendment, by leave, withdrawn.

MR M'LAREN: I understand no objection is made to the Amendment coming next. I need, therefore, say nothing in support of it.

Amendment proposed, page 3, line 2, at end, add "for the purposes of this Act a child's mother may be held to be its next friend."—(*Mr. M'Laren.*)

MR. PICTON: Is it necessary, and may it not lead to difficulties, to introduce a definition in this particular case?

*SIR R. WEBSTER: I was going to point out it is very undesirable to give a definition or *quasi*-definition of the expression "best friend" here. If the hon. Member will trust my experience of the working of Acts of Parliament, I can see that the insertion of the definition here may land us in complications in reference to other relationships. It should be dealt with as a substantive proposition. It may be that the definition "next friend" may disappear from the Interpretation Clause. I should like to consider this before accepting the Amendment.

MR. M'LAREN: I had in view the case where, father and mother having equal claims, the father turns out to be a ruffian, the custody should then be taken from the father and given to the mother.

Amendment, by leave, withdrawn.

Amendment proposed, in line 3, after "shall," insert "whilst the order is in force."—(*Mr. Attorney General.*)

Amendment agreed to.

*MR. TOMLINSON: I believe it is the intention in the Bill that the person put *in loco parentis* should be responsible for the maintenance; but it is doubtful whether that would be the effect of this clause. At all events, it is desirable to call the person's attention to the fact that he does undertake this responsibility, and this is done by the Amendment I propose.

Amendment proposed, in line 4, after "parent," insert "and shall be responsible for its maintenance."

*MR. MUNDELLA: I do not see any objection to this. Of course it is intended that the parent shall be responsible. Does the Attorney General see any objection to the insertion of the words?

*SIR R. WEBSTER: So far as they go they seem quite right. The only point I was considering was whether they go far enough—whether the definition of the responsibilities of the parent is wide enough.

MR. M'LAREN: Will it not interfere with the latter part of the clause that provides that a parent may be compelled to contribute to the maintenance?

Amendment agreed to.

*MR. GEDGE: The next Amendment in my name is, I think, necessary in order to govern and limit the application of the clause.

Amendment proposed, in line 5, after "person," insert "during such period as aforesaid."

*SIR R. WEBSTER: I thought my hon. and learned Friend was referring to the next paragraph, "any Court having power to do so to commit, &c." I scarcely think it is necessary to insert the words here; the meaning is governed by the paragraph ending with the semi-colon. The words would come in on line 6.

Amendment, by leave, withdrawn.

Amendment proposed, in line 9, leave out "in a certified industrial school," and insert "under the Industrial Schools Act."—(*Mr. M'Laren.*)

MR. STUART WORTLEY: The title should read, "Certified Industrial Schools Act, 1866."

Amendment proposed to the Amendment, to add the word "certified" before "Industrial," and "1866" after Act.

Amendment agreed to.

Amendment, as amended, agreed to.

MR. W. REDMOND (Fermanagh, N.): I move the Amendment of which I have given notice. It agrees with that given notice of by my hon. Friend the Member for Donegal (Mr. A. O'Connor), with the exception that he adds two words, "if possible." I understand that the right hon. Gentleman agrees to my hon. Friend's Amendment, and the

alteration in it I propose is, I think, a slight improvement.

Amendment proposed, Clause 3, at end, to insert—

"In determining on the person to whom the child shall be so committed, the Court shall endeavour to ascertain the religious persuasion to which the child belongs, and shall select a person of the same religious persuasion, and such religious persuasion shall be specified in the order."—(*Mr. W. Redmond.*)

Question proposed, "That those words be there inserted."

*Sir R. WEBSTER: There is an objection to leaving out the words "if possible," for there may be doubt in some cases as to what religious persuasion the child does belong to, and in some cases it may not be possible to resolve that doubt, and so the provision would be of no effect. This, I am sure, the hon. Member does not wish. If the hon. Member for Donegal had been here to move his Amendment, I think he would have allowed the words "if possible" to meet a possible difficulty.

*Mr. MUNDELLA: I agreed with the hon. Member for Donegal to accept the Amendment which, including the words "if possible," is taken from the Industrial Schools Act. This Amendment in the form I accepted it has stood on the Paper for the last two months, and this is the first intimation I have had of any desire to make any change in the wording. I think the hon. Member will see that the words "if possible" are necessary.

Mr. W. REDMOND: Of course, I defer to the wish of the right hon. Gentleman.

Mr. MATTHEWS: No doubt the words "if possible" occur in the Industrial Schools Act, and there you have security for preventing a departure from the intention of the Statute, and means are provided for transferring a child from the teaching of one religious persuasion to another. A great deal of trouble is taken to find out the religious persuasion to which the child belongs, but the possibility may not exist. The Bill does not provide any machinery for correcting any errors that may be made. It is for the hon. Member to consider whether the words "if possible" are necessary.

Mr. W. REDMOND: Of course I accept the suggestion; but, at the same time, I think my proposal is more likely to secure the carrying out of the intention of the Amendment, and the words "if possible" leave a loophole for evasion. I do not anticipate there would be any difficulty in ascertaining the religion to which a child belonged. I consent, however, to move the Amendment in the form in which it stands on the Paper.

Amendment amended by the addition of the words, "if possible," before "select"; and, as amended, agreed to.

Amendment proposed, at end of Clause, to insert—

"Provided that if any person committed for trial for an offence, as specified in Sub-section (1) (b) of this Section, be afterwards acquitted of such charge, or if such charge be afterwards dismissed for want of prosecution, then any order that may have been made under this Section, committing such child to the custody of any other person, shall forthwith be cancelled."

Amendment agreed to.

Clause, as amended, agreed to.

Clause 4.

Mr. KELLY: This clause deals with the power of search, and the powers given are very strong. But the clause provides that the Justice of the Peace shall only act on the information of statements made on oath before him, or where, in his opinion, the person making the statement is actuated by motives in the *bonâ fide* interest of the child. I do not see why we should cast upon the Justice any such duty. Let the Justice be satisfied on the information made on oath; but why should he be led into consideration of outside questions as to motives actuating the person making the statement, and whether they are in the *bonâ fide* interest of the child? Let it be sufficient that there is reasonable cause for suspecting that such a child is being treated or neglected in a place

within the jurisdiction of the Justice in a manner likely to cause the child injury or suffering. If the Justice is satisfied with the information given by a responsible person, why open the door by mischievous words to a long preliminary inquiry into tittle-tattle to ascertain motives? Why not follow the practice of the ordinary law?

Amendment proposed, in line 15, to leave out the words "who, in the opinion of the Justice, is *bonâ fide* acting in the interest of any child."—(*Mr. Kelly.*)

Question proposed, "That the words proposed to be left out stand part of the Clause."

*SIR R. WEBSTER: I think my hon. Friend must have forgotten that similar words were inserted in the "Criminal Law Amendment Act," after careful discussion. When we considered that the Magistrate is likely to look at the matter from a reasonable point of view, there is no straining of the law to suggest that on receiving information he should have regard to the motives actuating the informant. We are not now dealing with strict legal evidence. I do not suppose any Magistrate would act unless he had ground for believing that the person giving information was acting *bonâ fide* in the interest of the child. It seems to me the words provide a safeguard and preventive against reckless action, and in no way endanger the right and liberties of any person. It is desirable to leave the words in the clause.

MR. KELLY: I decline to admit that the Criminal Law Amendment Act affords a sufficient precedent for inserting the words here. The point raised will have to be discussed later on in connection with Clause 8. I am not quite so satisfied of the wisdom of Magistrates as the Attorney General appears to be. Only a small portion of such cases will come before Stipendiary Magistrates. I have no wish to say anything against the great body of Magistrates who administer the law equally and fairly, without fear or favour; but I do not wish to put an unnecessary difficulty in their way with an advantage to the public. I must press my Amendment.

Question put, and agreed to.

Amendment proposed (Sir R. Webster), line 19, leave out "treated," and insert "ill-treated."

MR. WHARTON: I would suggest to the Attorney General that he should insert the word "wilfully" before "ill-treated." It might be that the ill-treatment or neglect was inadvertent and with no intention of doing any possible harm to the child.

*MR. MUNDELLA: I am afraid that would be to throw a difficulty in the way of conviction. Suppose a child——

It being half-past 5, the Chairman left his seat to report Progress.

Committee report Progress; to sit again upon Wednesday, 3rd July.

INTERMEDIATE EDUCATION (WALES) BILL. (No. 4.)

COMMITTEE. [*Progress, 3rd June.*]

MR. OSBORNE MORGAN (Denbighshire, E.): Might I ask when the Government Amendments will be put formally on the Paper?

THE VICE-PRESIDENT OF THE COUNCIL FOR EDUCATION (Sir W. HART DYKE, Kent, Dartford): I hope by Friday morning.

Committee deferred till Wednesday, 3rd July.

MOTION.

EDUCATIONAL ENDOWMENTS (SCOTLAND) ACT, 1882 (JOHN GRANT TRUST, IN THE PARISH OF ROTHES, IN THE COUNTY OF ELGIN.)

*MR. DUFF (Banffshire): I beg to move

"That an humble Address be presented to Her Majesty, praying Her Majesty to withhold Her consent from the Scheme for the Management of the Endowment of John Grant's Trust, in the parish of Rothes, in the county of Elgin, approved by the Scotch Education Department (by Act), and now lying upon the Table of the

House, in so far as regards the provision for the annual payment to the School Board of the parish of Rothes."

This is one of the most extraordinary schemes that the Scotch Education Department ever prepared. The late Mr. John Grant left £1,600 to five parishes; but it is proposed to give £40 a year to one of them—namely, the parish of Rothes, and, of course, the effect will be to deprive the other parishes of the endowment they ought to have. The other parishes will only get £3 or £4 amongst them. The Endowment Commissions cannot, I think, have been aware of all the circumstances of the case when they proposed this scheme. The scheme will give the greatest dissatisfaction in the neighbourhood. It would have been better if the Endowed Schools Commissioners had said that the whole of the money should go to the parish of Rothes, and allowed students from the other parishes to have benefitted from higher education in the Rothes parish school. That would have done some good; but at present, instead of doing substantial good, the scheme will only give a small relief to the ratepayers. I would ask the House to postpone its assent to the scheme.

Motion made, and Question proposed,

"That an humble Address be presented to Her Majesty, praying Her Majesty to withhold Her consent from the Scheme for the Management of the Endowment of John Grant's Trust, in the parish of Rothes, in the county of Elgin, approved by the Scotch Education Department (by Act), and now lying upon the Table of the House, in so far as regards the provision for the annual payment to the School Board of the parish of Rothes."—(*Mr. Duff.*)

*Mr. ESSLEMONT (Aberdeen, E): I am rather surprised that the hon. Member has taken exception to this scheme. On behalf of the hon. Member for Morayshire, I desire to say that from advice which has reached me this is a very good scheme. The amount of money is very small, and as the Commissioners have given the matter their full consideration, I hardly expect the hon. Member will think it worth while to divide the House. I do hope that, having made his protest on behalf, I think, of only a section of those interested—and that not the largest section—he will allow the scheme to pass.

Mr. Duff

The LORD ADVOCATE (Mr. J. P. B. Robertson, Bute): I have no doubt the hon. Member has found certain persons opposed to these schemes; but, at the same time, he will agree with me that in a matter of this kind and also when the fund is extremely small, it is inevitable that the Commissioners should tread on the toes of somebody or other interested. The Commissioners, however, have taken ample opportunity to inform themselves, having brought all persons concerned before them to state their views. The smallness of the sum does not affect the interest the people take in the matter; still, looking at the smallness of the amount and the inquiry the Commissioners have made, the matter is, I hope, not one on which the hon. Member will think it necessary to challenge a Division.

*Mr. SPEAKER: Does the hon. Member withdraw the Motion?

*Mr. DUFF: I desire to say, by way of explanation, that I do not think the hon. Member for East Aberdeen is correct in the statement he has made as to the view of the hon. Member for Morayshire; and if that hon. Member had been in his place, I do not think he would have spoken in the sense of my hon. Friend. I do not wish to trouble the House with a Division, but I must enter a protest against taking an endowment intended for the benefit of a district and giving it to relieve parish rates.

*Mr. ESSLEMONT: The hon. Member for Morayshire, who is absent, requested all communications to be sent to me. All I can say is, that his clients sent me a communication in favour of the scheme.

Motion, by leave, withdrawn.

ADVERTISEMENT RATING BILL (No. 35.)

Considered in Committee and reported; as amended, to be considered to-morrow.

House adjourned at a quarter before Six o'clock.

HANSARD'S
PARLIAMENTARY DEBATES.

No. 9.] FIFTH VOLUME OF SESSION 1889. [JULY 5.

HOUSE OF LORDS,

Thursday, 27th June, 1889.

CONSOLIDATED FUND (No. 3) BILL.

Brought from the Commons; read 1ª; to be printed; and to be read 2ª to-morrow.—(*The Marquess of Salisbury.*) (No. 117.)

LAND CHARGES (IRELAND) BILL.

A Bill to facilitate the re-adjustment and redemption of certain charges on land in Ireland, and for other purposes relating thereto—Was presented by the Earl of Belmore; read 1ª; and to be printed. (No. 118.)

REGISTRATION OF COUNTY ELECTORS (EXTENSION OF TIME) BILL. (No. 107.)

SECOND READING.

*VISCOUNT PORTMAN, in moving the Second Reading of this Bill said, that its object was to save the expense and inconvenience which would be caused in most counties by the very limited time now allowed for the printing and preparation of the Registers of voters. Under the provisions of the Municipal Corporations Act, 1882, as applied by the County Electors Act, 1888, there would only be an interval of eight days between the date when the last lists must be delivered to the Clerk of the County Council and the date for the completion of the Register. This Bill, which merely makes temporary provision for the next two years, extends the time for completing the Register from the 20th October to the 30th November.

Bill read 2ª (according to order), and committed to a Committee of the whole House on Tuesday the 9th of July next.

MUNICIPAL FRANCHISE EXTENSION (IRELAND) BILL. (No. 103.)

SECOND READING.

LORD DENMAN moved the Second Reading of this Bill. [His Lordship's observations were inaudible in the Reporters' Gallery.]

Moved, "That the Bill be now read 2ª."

EARL CADOGAN: I shall not attempt to follow the noble Lord into the remarks he has just made, which, if I understood him aright, were directed to a description of the general subject of female suffrage. My objection to this Bill is of a more general character. It deals with one portion only, and a very small portion, of the large and important question of local self-government in Ireland; and Her Majesty's Government are not prepared to support any partial or piecemeal legislation in connection with that subject, which should be dealt with in a general measure, embracing all classes of people. Under these circumstances, I have no alternative but to ask your Lordships to read the Bill a second time this day three months.

Amendment moved, to leave out "now" and add at the end of the Motion "this day three months."—[*The Lord Privy Seal* (*Earl Cadogan.*)]

On Question that "now" stand part of the Question, resolved in the negative. Bill to be read 2ª this day three months.

LORD DENMAN: My Lords, I wil only say that, if this House is sitting

on this day three months, I will endeavour to bring the Bill forward again.

FOREIGN MEAT.

QUESTION—OBSERVATIONS.

LORD LAMINGTON, in rising to ask Her Majesty's Government when the Committee on Foreign Meat Importations, which was proposed last Session, would be appointed, said: My Lords, I wish to state very shortly the circumstances under which I put this question. Last year I introduced a Bill, of only one clause, which compelled butchers who sold foreign meat to put up a placard announcing that they did so, in order to enable persons buying at that shop to consider whether they would have home-bred meat or foreign meat. I never could understand in fact why that Bill was objected to, or how it could be called protection in disguise. It was simply based upon the principle of the Margarine Acts and Acts of that kind—namely, that persons selling a good original article, and another which might be mistaken for it, should give the purchasers fair warning. However, I was induced to withdraw that Bill on the promise of Her Majesty's Government that they would appoint a Committee to examine into the whole question. I have been waiting for the appointment of that Committee. The noble Lord apparently does not remember that promise at all, but the promise was made by the noble Lord who then represented the Government in this House.

*LORD BALFOUR: With reference to the statement made by my noble Friend that a promise was made by the Government to appoint a Committee, I would like to recall what took place last year. The noble Lord introduced a Bill, not as he says of one clause, but of seven clauses, and upon that measure a discussion took place. The noble Lord who then represented the Board of Trade stated very fully the reasons why the Government could not agree to the Bill, and showed that it would not effect the purposes which the noble Lord had in view; and he suggested that the Bill should not be further proceeded with, and that if the noble Lord moved for a Committee next year (that is, this year), the Government would consider whether it could be appointed to inquire into the question of whether the sale of foreign meat, under the name of British meat, and also the other question of the sale of horseflesh as beef. The noble Lord stated that he thought the Government themselves had promised to move for the appointment of the Committee. The noble Lord called my attention to that not long before the House rose for the Whitsuntide Recess. I then told him I would look into the matter, and as the result of that examination, I communicated to the noble Lord that I thought there had been a slight misapprehension of the circumstances. The words as reported in *Hansard*, which were used by the noble Lord who preceded me in this office, undoubtedly seem to bear the construction that the Government would itself move for the appointment of the Committee; but that does not correspond with the notes which are in the office of the Board of Trade, from which he presumably spoke, and it does not correspond with the answer which the President of the Board of Trade gave to a deputation about a week later. If the noble Lord were here himself he might be prepared to state from recollection what it was that he did say to the House. I do not wish in any way to cast discredit on what he said; but I have gone into the matter somewhat carefully, and I notice that the speech, as reported in *Hansard*, does not bear the usual mark which denotes that it was corrected by the noble Lord. Therefore, I think, on the balance of evidence, I am entitled to say that in all probability the reply given to the noble Lord was that if he moved for a Committee the Government would endeavour to meet him, and to arrange a reference with him. At any rate, I assure your Lordships that that is the sense in which the matter was understood at the Board of Trade, both by the President and by the other officials. Then I come to the other point as to whether it is desirable that the Committee should be appointed. I say quite frankly that if the attention of the Government had been called to the matter earlier in the Session, we should have felt bound to carry out the promise then given, and to endeavour to agree with the noble Lord the terms of reference to a Committee upon this important subject. But I would ask my

noble Friend whether at this period it is expedient to appoint such a Committee. We have now reached the very last days of June; and if appointed now, the Committee would probably not hold more than eight or ten sittings during this Session; at all events, I do not think it would be possible for the Committee to examine fully into the subject in the time that would be at its disposal. Upon the whole, therefore, I suggest to the noble Lord whether it is not undesirable to press for the appointment of a Committee at this stage, and I put that consideration before the House. At the same time, I am exceedingly anxious that there should be no accusation either upon the Government or upon the Board of Trade, or any breach of faith with the noble Lord; and I have, therefore, gone fully into the circumstances and have endeavoured to explain to the House where I think the misapprehension has arisen. Your Lordships are aware that a kindred subject, and one which was in the mind of those who agitated this question last year—namely, the fraudulent sale of horseflesh—has been the subject of a Bill which has got the Royal Assent this year. I am perfectly aware that that does not meet the exact point to which the noble Lord refers in his question, but this matter of the substitution of foreign meat for British meat seems to open up a very much larger question—in fact, last year it was so dealt with, as part of the larger question of the fraudulent substitution of one article for another. That is in itself a very large and important question, and, upon the whole, I think, and I hope the House will agree with me, that it would be unadvisable to enter on an extended inquiry of that kind at this period of the Session.

LORD LAMINGTON: May I be permitted to state that I brought forward this matter about two or three months ago, and it is not my fault that it was too late in the Session for the appointment of this Committee. With respect to the Bill that I introduced, I do not think that the noble Lord has ever seen the Bill. He says there are seven clauses, but there is only one clause about which there could have been any discussion, namely, one which provided that placards should be put up wherever foreign meat was sold. The other clauses were simply with reference to penalties and other details for the carrying out of the main clause. I rather agree with the noble Lord that it is late in the Session to appoint a Committee, but I must say that I complain very much that the promise given last Session was not carried out very much earlier in this.

RABIES IN LONDON.

QUESTION—OBSERVATIONS.

THE EARL OF MILLTOWN, in rising to ask Her Majesty's Government why, considering the marked increase of rabies in the Metropolitan area, and the alarm thereby created in the public mind, the Commissioner of Police did not exercise the powers vested in him by statutes by issuing the rabies and muzzling orders, by means of which, according to the testimony of Sir Charles Warren, the disease was exterminated after the outbreak of 1885, said: It will be in the recollection of most of your Lordships that in the year 1885 there was a serious outbreak of rabies in the Metropolis. Many persons were bitten by mad dogs; hydrophobia in some instances followed, and general alarm existed among the population. In consequence of that, Sir Edmund Henderson, who was then Chief Commissioner of Police, issued what was called a Muzzling Regulation under the Metropolitan Street Act of 1867. Under the 18th Section of the Act power is given to the Commissioner of Police to order that all dogs shall be muzzled within the Metropolitan area. Unfortunately, however, that Act, through some omission on the part of the draughtsman, contains no provision as to penalties, and it was therefore impossible to enforce it. Consequently another Order was issued by the Commissioner under what is called the Dogs Act of 1871, by which power was given to the Commissioner to order that no dogs not under control should be in any public thoroughfare or public place within the Metropolitan Police District, and that Act gives power for the dogs to be seized, and any person acting in contravention of the Act to be fined 20s. Owing to the Metropolitan Magistrates having at first made up their minds that being "under control" meant being either muzzled

or led, this latter order effected its purpose, and after a good many prosecutions had been successfully undertaken against persons who acted in contravention of the Act, muzzling became universal within the metropolitan area. About two years ago my noble Friend the Lord President moved for a Select Committee to inquire into the whole question of rabies amongst dogs. I happened to be a humble member of that Committee, and I had the advantage of hearing Sir Charles Warren, who was then the Commissioner of Police, having succeeded Sir Edmund Henderson in the year previously, give his evidence. His testimony was unequivocal that the result of the muzzling order had been the complete extirpation of rabies within the metropolitan area. Lord Mount-Temple, who was a very strong opponent of muzzling under any circumstances, asked him—

"Do you think the diminution of rabies arose from the policemen having killed such a very large number of unowned dogs?"

Sir Charles Warren replied:

"I think it was the muzzling that stopped it. The muzzling prevented the dogs biting each other, and in that way rabies was reduced to certain areas. If the muzzles were kept on till a certain time there would be no such thing as rabies."

I may say that the result of all the scientific evidence that we had was that if muzzling could only be generally enforced rabies would be exterminated throughout the whole country; for if one thing was made clearer than another it was that this dreadful disease can only be communicated by the bite of a mad dog. It cannot arise spontaneously, and, therefore, if all dogs were put in such a position that they could not bite, it is clear that rabies would be extirpated. Then he went on to say:

"I do not think it is necessary to muzzle dogs all over the country. It is only in crowded streets that muzzling is necessary. The danger only exists in crowded streets, and there is more danger so far as one can understand of rabies in places where dogs lead such unhealthy lives as they do in towns."

His theory is that dogs are more liable to contract rabies when bitten by a mad dog if they lead the filthy and unnatural lives that dogs must lead in towns, than if they were living in more open places. I may remind your Lordships that it is not every dog that is bitten by a mad dog that contracts rabies, any more than it follows that a human being bitten by a mad dog will suffer from hydrophobia. Then he was asked by the Lord President—

"Tell us what effect these Rules had upon rabies in London?"

and his answer was—

"I think they entirely exterminated it, and if there had been muzzling outside London I do not think we should have had any more rabies now."

It was admitted that after rabies had ceased in London, owing to stray dogs coming in from country places it had begun afresh. The result was that Sir Charles Warren allowed the order to drop, his reason for that being that it had effected its purpose, and that rabies was practically exterminated, or at any rate reduced to a very low proportion indeed. Unfortunately, rabies comes on in certain years with much greater virulence than in others. The year 1885 was a bad year, and this promises to be as bad, if not worse. Your Lordships may have noticed the Returns given by the Home Secretary of the number of rabid dogs seized by the police in the Metropolis. They amounted this year to very considerably more than in the corresponding period of last year. Perhaps on this point I could not do better than read to your Lordships a very few words from the chief medical journal of the Metropolis; I mean the *Lancet*. Writing on the 8th June, the *Lancet* says—

"There is now unfortunately no possibility of disguising the fact that rabies, after a brief period of diminished activity, is again distinctly increasing. The preventive measures adopted during the recent epidemic will again be necessary, and experience clearly shows that the successful prophylaxis of the disease must largely depend on the efficiency with which these are carried out. As bearing directly on this point the observations of Mr. A. J. Sewell are particularly instructive. He tells us that during the years 1885 and 1886 he himself met with 78 cases of rabies in dogs. In 1887 he had no cases in his private practice—"

that was after the suppression by means of muzzling.

"And during that year the disease, as far as London is concerned, was practically extinct. This highly satisfactory result has been very reasonably attributed, in the absence of any other preventive of reliable efficacy, to the fact that during the preceding period no dog was allowed to be at large without a muzzle. The epidemic was no sooner past than muzzling was dispensed with. In 1888 rabies again appeared, and during the present year nearly 30 cases have been reported in Mr. Sewell's prac-

tice alone. In addition to these, four persons have died of the disease in London within the same short space of time."

Just consider, my Lords, for a moment what that means. Four persons have died of the most horrible disease to which humanity is subject, in order that the feelings of some persons who object to the muzzling of dogs might not be offended.

"It may be urged that these facts embody the evidence obtained within a limited field of observation. This is true; but it must also be allowed that the relative scope and duration of the inquiry, as well as the experience of the investigator, are amply sufficient to justify our accepting it as the basis of a practical deduction."

Then, my noble Friend the Lord President asked this question of Sir Charles Warren:

"Irrespective of rabies, there is some protection necessary, I presume, for persons who are bitten, of whom there are evidently a large number."

Sir Charles Warren replied:

"An enormous number. The Post Office Officials wrote to me on the subject, and said that whereas in former years a large number of postmen had been bitten, after the Order came in few were bitten."

That, my Lords, is really a point not to be forgotten; that, quite irrespective of the danger of hydrophobia, persons have a right to be protected from this horrid nuisance of being bitten by strange dogs at any time throughout the country. Then, I will call your Lordships' attention, finally, to what Sir Charles Warren said in answer to a question of mine as to why he did not continue the Orders. He said—:

"If I thought that rabies existed to such an extent as to be dangerous to the public I should put the Order in force."

Well, I cannot think there is the slightest doubt that at this moment rabies does exist to such an extent as to be a danger to the public, and what I want to know is, Why does not the First Commissioner put the Order in force? It is quite true that at this moment there has been a discussion and correspondence going on between the London County Council and the Privy Council as to whether or not it is desirable to have a general muzzling all over the country; but while these two bodies are discussing this matter, people are dying of hydrophobia, and rabies is spreading through the Metropolis. The power that the County Council has under the Contagious Diseases (Animals) Act of enforcing it in the Metropolis alone is not exercised by it; they are of a far too ambitious nature to do such a thing as to give a legitimate Order which appertains to their proper functions, and in the meantime we are the sufferers. The Police Order can be issued absolutely irrespective of whether the County Council or the Local Authority does its duty in this matter. I myself have had the case brought under my own notice in the most practical way possible, for last week a mad dog was killed in my area by the police—a most disgusting and offensive sight—causing great alarm to the servants. A poor man came to me this morning, having seen the notice that I had put on the Paper, to tell me that he had been badly bitten by a mad dog in the hand in Palace Gardens four weeks ago, and he is now in a most painful state of anxiety, as persons always are who are bitten by mad dogs. It seems to me, my Lords, that a serious responsibility rests upon the Home Secretary if, through the neglect of the Commissioner who acts under his orders, a single case of hydrophobia occurs. The most humble of Her Majesty's subjects have a right to be protected if they can be, and as they ought to be, protected from this most horrible disease. Under these circumstances, I beg to ask my noble Friend the question of which I have given notice.

EARL BROWNLOW: My Lords, I can state in a few words what is the position of the police at the present time with regard to mad dogs. It was decided in 1886 by the Secretary of State, with the concurrence of Sir Charles Warren, who was at that time the Chief Commissioner of Police, the Privy Council Office having then assumed the jurisdiction in the matter of rabies, that they for the future should be relieved of the responsibility of a continuance of the Orders made by them under the Metropolitan Streets Act, 1867, and the Dogs Act of 1871. The Orders were not then to come to an end; they were continued until December of that year, and then they lapsed. In 1887, by an Order in Council, the London County Council was created the Local Authority in the Metropolis, and the police considered that their duty henceforth would be to render assistance in any regulations

that were issued by the Local Authority. Early in last month the Chief Commissioner of Police drew the attention of the London County Council to the fact that there was an increase—although not such a large increase as my noble Friend thinks—in the number of cases of rabies in the Metropolis. I am afraid I cannot give any very satisfactory statistics as to the number of mad dogs that were killed in the year 1885, which was the worst year that was known for some time, for this reason. In 1885 the police killed 369 dogs; that was in the whole year. This year, up to the present time, they have made away with 83 dogs. In 1886 it was not the custom to examine the carcases of dogs to find how many of them had actually been affected with rabies, and therefore it is impossible to state how many of the 369 dogs who were made away with in 1885 were affected with rabies; but in the present year, out of the 83 dogs, 70 carcases have been examined, and it has been found that 22 were affected with rabies. Having called the attention of the London County Council to the increase of rabies, there the action of the police has stopped; but I am informed that the London County Council have considered the matter, and that they have made proposals to the Privy Council Office which, I believe, are of a very large and extensive nature, and at the present time the Privy Council have those recommendations under their consideration, and are considering whether they can properly be put into force or not.

THE EARL OF MILLTOWN: I think my noble Friend has hardly answered my question. I asked not what the London County Council were going to do, but what the police would do.

EARL BROWNLOW: The Commissioner of Police, as I told my noble Friend, has communicated with the London County Council, which is the authority having power to issue the order, and it is now for that body to take action.

*LORD BELPER: As a member of the Committee on Rabies, to which the noble Lord alluded, I can confirm what he said as to the evidence of many of the most skilled witnesses as to the efficacy of the muzzling regulations in putting a stop to rabies; but there is one point to which I wish to refer, which was put prominently forward by witnesses both from London and other large towns, which was, that the most serious outbreaks of rabies always started in large centres of population, and that after the disease has been lying dormant in the country, when it broke out again it was invariably in London, or in one of the other populous districts in other parts of England. That appears now to be the case with respect to this outbreak which has started in London, and it appears that at the present moment, if I am rightly informed, some authorities in the country districts are already taking precautions to prevent the further spread of rabies, and to muzzle the dogs within their own districts; but while they are doing this the authorities in London, which is the centre of rabies—at all events, in this part of the country—appear to be doing nothing. So that, while the very centre of the disease is not being attended to, the surrounding districts are receiving proper treatment. I understand that there is an application about to be made to the Privy Council to enforce universal muzzling all over the country. I must say that unless that is found to be absolutely essential, I think there would be a very strong feeling in the country against such an order being put in force. I venture to make these few observations in the hope that things will not be allowed to go on to such a pass in the metropolitan district as would make it almost essential to enforce muzzling all over the country—a step which, I am sure, would be most unpopular.

*VISCOUNT CRANBROOK: Perhaps I may be allowed to say a few words in confirmation of what the noble Lord has said as to the popular feeling which would be aroused by an order to muzzle dogs all through the Kingdom. I think I am right in saying that in Wales and in Scotland there has not been a single case of rabies this year, and most of the rural counties of England are entirely free from the disease. The Committee to which reference has been made were unanimous in the opinion that a general muzzling order, unless it was felt by the country to be absolutely essential to the stamping out of the disease, would do more harm than good. The present condition of legislation on this matter is very unsatisfactory. In the Metropolis the

police have power to seize and destroy stray dogs, but that power does not exist in the Local Authorities, which is a very prejudicial thing, because if they seize dogs they do not know what to do with them, and it is illegal to destroy them. We propose if possible to remedy that state of things, at all events so as to give greater power to the Local Authorities. I can assure your Lordships that this matter is having our earnest and practical attention, and I hope that no very long time will elapse before steps are taken to meet this evil, which I admit is a very great one.

FRIENDLY SOCIETIES ACT (1888) AMENDMENT BILL. (No. 91.)

Reported from the Standing Committee for Bills relating to Law, &c., with Amendments; the Report thereof received; and Bill re-committed to a Committee of the whole House on Tuesday next; and to be printed as amended. (No. 119.)

House adjourned at half-past Five o'clock, till to-morrow a quarter past Ten o'clock.

HOUSE OF COMMONS,

Thursday, 27th June, 1889.

PROVISIONAL ORDERS BILL.

LOCAL GOVERNMENT PROVISIONAL ORDERS (No. 15) BILL.

*MR. JAMES STUART (Shoreditch, Hoxton): I beg to move—

"That the Order for Committee be read, and discharged; that the Bill be committed to a Select Committee of Seven Members, Four to be nominated by the House, and Three by the Committee of Selection; that the Committee have power to send for persons, papers and records; that Three be the quorum."

The Bill relates to the boroughs of Banbury and Cambridge, and is in itself an excellent Bill, making excellent arrangements. I in no way intend to oppose it. It has been brought in under Section 52 of the Local Government Act, which empowers the Local Government Board to make Provisional Orders for dealing with boroughs where certain members of the Sanitary Authority are appointed by a University or the colleges therein. The circumstances of the case are these: The borough of Cambridge is divided into five wards—namely, those of East and West Barnwell and three other wards. The East and West Barnwell wards have a greater population and value than the other three wards put together, and they are growing rapidly. It is estimated that the population of East and West Barnwell was in 1889 28,187, and that the rateable value of the two was £88,189, whereas the estimated population of the other three wards was 11,151, or less than one-half, and the ratable value £62,369, or about three-fourths. Yet the East and West Barnwell wards only return 12 members while the remaining three return 18. This inequality is admitted on all hands, and for some years it has been the subject of representations to the Local Government Board. It is not in any sense a Party question. Quite recently the Town Council passed a resolution declaring that the draft Provisional Order received from the Local Government Board was insufficient and unsatisfactory, inasmuch as it did not provide for the division of the town into wards upon a just and equitable basis, and the Guardians of the Cambridge Union at an extraordinary meeting have passed a resolution approving of the alterations proposed by the Town Council.

*THE PRESIDENT OF THE LOCAL GOVERNMENT BOARD (Mr. RITCHIE, Tower Hamlets, St. George's): What is the date of that resolution?

*MR. J. STUART: I am unable to say, but it was sent to the Local Government Board since the Provisional Order was issued. It has been urged that the Local Government Board have no power to meddle in the matter, but Clause 59 of the Act provides that any scheme or order made in pursuance of the Act may, as far as may be deemed necessary or proper, make provision for the abolition, restriction, or establishment or extension of the jurisdiction of any Local Authority in or over any part of the area affected by the scheme, and for the adjustment or alteration of the boundaries of such area. In addition, they have power to determine the status of any particular locality as a component part of the larger area. At the present

moment the town of Cambridge is very badly drained, and there have been before the town for a number of years various conflicting drainage schemes. There has, however, been a difficulty in the adjustment of the relations of the town generally, not only as between the University and the town, but as between the various parts of the town. It is feared that it will be very difficult to get a decision upon the merits of the relative schemes unless there is a proper representation of the town upon the Town Council, because the carrying out of the necessary works will probably entail upon the town a debt equal to its annual ratable value. One of the reasons I have heard alleged in favour of the preservation of the existing inequality, is that the University and College buildings, in regard to which the people had no representation, were, in fact, situated in the over-represented wards. That reason has now disappeared, and, by continuing the existing system, the inequality is being perpetuated. There has been some talk of applying for a mandamus to compel the authorities to drain the town properly, and, I believe, there are gentlemen in this House whose sons have been suffering from typhoid fever, and the inhabitants of the town generally have suffered. My own opinion is that it would be better for the Local Government Board to move in the matter themselves, and I shall be content if the right hon. Gentleman the President of the Board will give an assurance that he will send down a Commissioner again to inquire into the matter. If that cannot be done, then I think the best course will be to refer the Bill to a Select Committee, and I beg, therefore, to move the Motion which stands in my name.

Motion made, and Question proposed,

"That the Order for Committee be read, and discharged; that the Bill be committed to a Select Committee of Seven Members, Four to be nominated by the House, and Three by the Committee of Selection; that the Committee have power to send for persons, papers, and records; that Three be the quorum."—(*Mr. J. Stuart.*)

*Mr. RITCHIE: I have no ground to complain of the hon. Member for the mode in which he has brought this matter before the House, but I wish to point out that, after having sent down a Commissioner and received a Report from him, the Local Government Board arrived at a conclusion which was satisfactory to the parties concerned. I am glad to say that that has been the case in regard to all the Orders which have been issued under the Local Government Act. With reference to the particular proposal of the hon. Member, I am afraid that I must object to it, mainly for three reasons. The hon. Member says that since the Provisional Order was framed the Town Council of Cambridge has made certain representations in the direction of the Motion he has moved. A very full and careful inquiry was made by the Inspector of the Local Government Board into all the matters dealt with in the Provisional Order, and at that time, so far from the Town Council being in favour of the proposal now submitted, they were opposed to any alteration in the ward element. It is rather late in the day for them to come forward now, after waiting until the Provisional Order has been settled and agreed to, with representations in direct antagonism to the representations made by them to the Inspector of the Local Government Board. My first objection to the Motion of the hon. Member is that this is a Provisional Order which has been agreed to by all the parties concerned, and that it would not be right to pass a Motion of this kind when it is impossible for any one to be heard by Petition against it; secondly, that if an alteration in the boundaries of the wards is desirable a Committee of the House of Commons is not the proper body to deal with the matter; and, lastly, that if any alteration is to be made, it can only be done after full and careful inquiry on the spot by an Inspector, and that no action on the part of the House of Commons is necessary, seeing that it can be done by application to the Privy Council.

Question put, and negatived.

QUESTIONS.

—o—

WORKHOUSE PUNISHMENTS.

SIR JOHN KENNAWAY (Devonshire, Honiton): I beg to ask the President of the Local Government Board if it is a fact, as reported in the *Cornish and Devon Post* of 18th May, that on

the motion of Mr. J. Hawkins, an inmate of the Launceston Workhouse, named Dawe, was sentenced to 24 hours' solitary confinement, on bread and water in a cell, on the ground of alleged and disrespectful conduct to a Committee of the Guardians; whether such disrespectful conduct consisted in his refusing to stand up when ordered by the clerk and master, or to take off his hat to an official; whether any other inmates of the Workhouse have been threatened with, or subjected to, solitary confinement, and, if so, how many since February, 1888; what other punishments have been inflicted since that time; what is the average number of inmates in the Workhouse; whether the officials have exceeded their authority in inflicting the punishments referred to, and, if so, whether he will take steps to prevent any recurrence of such proceedings; and whether, under the circumstances of the case, he will consider the expediency of causing an independent inquiry to be held into the state of discipline and the general conduct of the Workhouse.

*MR. RITCHIE: I have made inquiry of the Guardians of the Launceston Union as to the punishment of Dawe, an inmate of the Workhouse, and I am informed that he was punished by 24 hours' solitary confinement on bread and water under the direction of a resolution unanimously passed by the Board of Guardians. The punishment was in consequence of Dawe's refusing to obey the lawful orders of the master of the Workhouse. He was requested to stand up on being addressed by a Committee of the Guardians holding an inquiry at the Board Room, and answer questions. The request was repeated several times. Dawe became abusive, and refused to comply with the direction. His conduct, it is stated, was most insolent and abusive both to the Committee and the Master. I have been furnished with a list of the punishments in the Workhouse since February, 1888, and I find that five inmates in addition to Dawe have since that date been subjected to solitary confinement. It appears that on seven occasions other punishments, such as the substitution of bread and water for dinner, have been imposed. The average number of inmates of the Workhouse during the year ended Lady-day, 1889, was 58. From the statement furnished to me I am unable to say that on none of the occasions referred to has the authority of the officers been exceeded. I am making further inquiry on the subject, and if it should appear to me to be necessary, I will direct an inquiry by an Inspector of the Board as to the punishments to which particular inmates have been subjected.

SIR J. KENNAWAY: Is there any authority to justify the giving of a different diet from that prescribed by the Poor Law regulations?

*MR. RITCHIE: Assuming that the Guardians were justified in awarding the punishment, I think they would be justified in altering the diet.

FISHERMEN'S BOTHIES.

SIR JOHN KINLOCH (Perth, E.): I beg to ask the Lord Advocate, whether the Board of Supervision have caused the fishermen's bothies on the river Tay to be inspected with reference to their sanitary state; and, whether a Report thereon has been presented to the Board; and, if so, what action, if any, is to be taken by the Board?

THE LORD ADVOCATE (Mr. J. P. B. ROBERTSON, Bute): I am informed that the Board of Supervision have obtained a Report as to the state of these bothies, this Report which is very voluminous, is now under the consideration of the legal Members of the Board, for their opinion on the legal aspect of the matter.

THE IRISH LACE INDUSTRY.

MR. JUSTIN M'CARTHY (Londonderry): I beg to ask the Secretary to the Treasury whether, in view of the successful development of local efforts to improve the organization of the lace industry in those districts of Ireland which are mentioned in the recently-issued Report by Mr. Alan S. Cole on his visits to lace-making centres, sanction has now been communicated by the Treasury to the Vice President of the Committee of Council on Education, under which the renewal of Mr. Cole's lectures, repeatedly applied for by the centres referred to in the Report, can be granted, so that the applying convents and centres may not, as was the case in March last, be left in doubt up to the last moment as to whether the lectures will be delivered or not; and, in any

case, whether the delivery of lectures has been sanctioned for the forthcoming autumn and the spring of next year?

THE SECRETARY TO THE TREASURY (Mr. JACKSON, Leeds, N.): No sanction has been given for the delivery of further lectures next autumn or in the spring of next year. Practically the whole amount sanctioned for expenses of lectures this year has been already expended, and I must await further information from the Science and Art Department and the Irish Government before the Treasury can decide whether further expenditure should be allowed, to provide for additional lectures.

FORCES AT THE CAPE.

SIR JOHN COLOMB (Tower Hamlets, Bow): I beg to ask the Secretary of State for War what is the total strength, all ranks, of the regular forces of Staff Cavalry, Field Artillery, Garrison Artillery, Engineers, and Infantry respectively now serving in Cape Colony; what is the approximate total annual cost borne by the taxpayers of the United Kingdom for such forces now quartered in Cape Colony; what portion of the total force is for garrison duty at coaling stations situated in Cape Colony, and what is the approximate estimate of its annual cost; and, whether the remainder of the Imperial Forces not required for garrison duty at such ports are retained in Cape Colony for purposes of internal order within the limits of Cape Colony, or for special general service when required beyond such limits?

*THE SECRETARY OF STATE FOR WAR (Mr. E. STANHOPE, Lincolnshire, Horncastle): The strength of the several arms in Cape Colony on the 1st of May (which is the latest return received) was, Staff, five; Cavalry, three; Artillery, 240; Engineers, 103; Infantry, 991; Departmental Corps, 66; total—1,408. The cost of this force, including home charges for depots, pensions, &c., is £142,000, towards which the Cape Colony makes no contribution. The troops are required for the defence of the Imperial coaling stations, but they would, of course, be available in case of internal disturbance. I may add that the military unit of command is not Cape Colony, but South Africa; and that a regiment of Cavalry, with perhaps some Mounted Infantry, will be kept in South Africa for frontier purposes generally.

DR. CLARK (Caithness): Have applications been made to the Cape Government to pay a portion of the expenses?

*MR. E. STANHOPE: I do not think in recent years any such application has been made to the Cape Government, but there have been repeated applications for other contributions towards Imperial Defence, which, I am sorry to say, have not generally been responded to.

THE CORPORATION "DESTRUCTOR."

MR. ADDISON (Ashton-under-Lyne): I beg to ask the President of the Local Government Board whether his attention has been called to the fact that the noisome smoke issuing from a chimney situated at Lett's Wharf, on the south side of the River Thames, is connected with what is known as a "destructor," which is used by the City Authorities for the consumption of condemned meat, fish, and all sorts of rubbish; whether he is aware that numerous complaints have from time to time been made by the poor people inhabiting the surrounding district, which includes the Borough and New Cut, as well as from those dwelling in its proximity on the north side of the river; and, whether he will take such steps, as may seem fit, to have the nuisance complained of abated, and to secure that smoke emanating from such a source in the heart of the Metropolis should be more perfectly consumed?

*MR. RITCHIE: My attention has not been previously called to the subject of this question, and no complaints have been received by the Local Government Board with respect to the alleged nuisance. I have communicated with the Commissioners of Sewers of the City of London and am informed by them that the destructor in question has been in use for many years for the burning only of old baskets and the ordinary refuse of business premises, and that, so far as the Commissioners are aware, there has never been any authenticated case of complaint against it. There is no noisome smoke issuing from the chimney shaft, and the destructor is not used for the consumption of condemned meat or fish, which are conveyed away from the City by contractors in quite another direction. The destructor, it is

stated, is worked with more than ordinary care by the most intelligent men that can be found for that kind of work. It has been undergoing repairs since the 8th of this month, and any vapours that have passed up the chimney since that date have arisen from an open fire on the wharf. I have also communicated with the Vestry of the parish of Lambeth, in whose district the destructor is situate. The reply which I have received confirms the statements of the Commissioners of Sewers. The Vestry Clerk states:—

"I have made inquiry of the sanitary inspectors, and am assured that neither condemned meat nor fish is burnt in the destructor, but that house and shop refuse is alone burnt. The wharf is visited by the medical officer and inspectors from time to time, but on no occasion has any meat or fish been found in the destructor or in the shed placed for burning. The wharf has been visited on several occasions by the Sanitary Committee, so that they might be satisfied that nothing was carried on likely to be prejudicial to the health of the neighbourhood. The Vestry have not received complaints from the inhabitants living in the immediate vicinity of the wharf, but about two years ago complaints were made by occupiers of property at some little distance, but on the wharf being then examined by the Vestry officers and the Sanitary Committee nothing was found which appeared to cause objection."

WRECK OF THE *ASTRACANA*.

SIR EDWARD BIRKBECK (Norfolk, E.): I beg to ask the President of the Board of Trade whether he is aware that the officials of the Trinity Corporation towed a vessel of 1,400 tons on 3rd January, 1889, from the English Channel into Cowes Roads, and allowed her to sink there, and that a portion of the vessel with stone ballast in her, now remains in a position frequently occupied by trading vessels when anchored in the Roads; and, whether, taking into consideration the fact that mariners cannot anchor within 30 fathoms of the wreck, the extreme danger to vessels coming in at night, and the often crowded state of the Roads, he will at once give the necessary orders for its removal?

*THE PRESIDENT OF THE BOARD OF TRADE (Sir M. HICKS BEACH, Bristol, W.): I have communicated with the Trinity House, who sent me the following statement, dated the 25th of June:—

"The duty of removing wrecks dangerous to navigation is laid on the Trinity House by an Act passed in 1877. The wreck *Astracana* was reported floating bottom up in the English Channel, a most serious danger to life and property. Trinity House vessels were sent in search, found it on December 30th, and tried to sink it in deep water, but being laden with oil in casks, the vessel would not sink. Waterlogged and unmanageable, it was with great difficulty and after several days' work towed out of the way of navigation on the 3rd of January into Cowes Roads, that being the nearest place suitable for operations of breaking up and salvage. These were carried on with all possible diligence, although under great difficulties, and it is now (June 25th) ascertained that nothing remains of the wreck which could occasion damage to passing navigation, there being 17 ft. clear all over her at low water spring tides, and nothing above the level of the sand. To remove the buried remains would be a very costly proceeding, and although for a time the anchorage for a space of about 70 ft. by 30 ft. will be to some extent foul, only small vessels could anchor there, and a buoy is placed to warn them."

I can only add that in cases where, as in this case, the proceeds of the sale of the cargo are sufficient to meet all expenses incurred by the Trinity House, the Board of Trade have no authority or control in the matter.

SIR E. BIRKBECK: Arising out of the question, may I ask whether the right hon. Gentleman thinks it fair to the trading community that the Channel should be placed in this position in consequence of the action of the Trinity Corporation, and that the Corporation should be allowed to tow a vessel and sink it in the very spot at which trading vessels are constantly anchoring? Will the right hon. Gentleman cause further inquiry to be made?

*SIR M. HICKS BEACH: I have been on the spot myself very recently, and I do not think that trading vessels will be interfered with. A few yachts may be interfered with, but they pay no Light Dues. The vessel was not towed to the spot and allowed to sink, but became unmanageable at the spot and sank there.

THE ELECTRIC TRAMWAY AT PORTRUSH.

MR. PINKERTON (Galway): I beg to ask the President of the Board of Trade whether he is aware that a Petition, influentially and numerously signed by the cesspayers, has been presented to the Grand Jury of County Antrim, praying that the Board of Trade would institute an inquiry into the working of

the Electric Tramway from Portrush to Bushmills, and the inconvenience and danger to the public caused by it; whether such memorial was forwarded to the Board of Trade; and, if so, why no action was taken; and, whether it is a fact that the electric tram is running without either a Certificate from the Board of Trade or any published Table of Bye-laws?

*SIR M. HICKS BEACH: A Petition from certain cesspayers to the Antrim Grand Jury was communicated to the Board of Trade by the Grand Jury in April last. In order to satisfy themselves whether an inquiry would be desirable, the Board of Trade addressed a question to the Secretary to the Grand Jury on May 3, to which no reply has yet been received. The use of mechanical power was allowed by Act of Parliament, which also required that, before being opened, the line should be inspected and certified to be fit for public traffic. The line has been so inspected and certified. But if by bye-laws the hon. Member means regulations as to the use of mechanical power, the Company's Acts of Parliament do not appear to provide for the issue of any such regulations.

INDIA—PUBLIC SERVICE COMMISSION —AGE OF CANDIDATES FOR CIVIL SERVICE.

MR. BRYCE (Aberdeen, S.): I beg to ask the Under Secretary of State for India, whether he can now state what progress has been made in the consideration of the recent Report of the Indian Public Service Commission; and, in particular, when it is likely that the decision of Her Majesty's Government regarding the age at which candidates are to be admitted to compete for appointments in the Indian Civil Service will be announced?

*THE UNDER SECRETARY OF STATE FOR INDIA (Sir J. GORST, Chatham): The matters referred to in the question are still under the consideration, but the Secretary of State hopes to be able shortly to announce some definite decision on the age limit.

MR. BRYCE: Will the decision be announced before the end of the Session?

*SIR J. GORST: Yes, I think so.

POST OFFICE AT KILAWALLA.

MR. J. F. X. O'BRIEN (Mayo, S.): I beg to ask the Postmaster General, on what conditions will he consent to give a Post Office to the people of Kilawalla, co. Mayo, in the vicinity of the chapel, the two schools, and the police barrack, the centre of a large population?

THE POSTMASTER GENERAL (Mr. RAIKES, University of Cambridge): I have made inquiries, but I should be glad if the hon. Member would postpone the question until Monday, when I shall be able to give him a more definite answer.

BOMBAY MAMLUTDARS.

DR. CAMERON (Glasgow, College): I beg to ask the Under Secretary of State for India, (1) whether his attention has been called to a statement in the Calcutta telegram of the *Times*, of the 10th instant, indicating, although nine of the Mamlutdars, who swore that they had corruptly purchased their offices by bribes, had been deprived of magisterial powers in criminal cases, "they were still maintained in office on full pay, and allowed to exercise jurisdiction in civil suits;" (2) whether it is true, as stated in the Calcutta telegram published in the *Times* of the 24th instant, that, although 33 native Magistrates have been transferred, on public grounds, no dismissal from office has yet been gazetted; (3) whether it is true, as stated in the same telegram, that the High Court of Judicature of Bombay has pronounced a judgment, affirming that the corrupt Mamlutdars and Magistrates are by Law disqualified from holding their offices; (4) whether the confessedly corrupt Mamlutdars referred to, continue to exercise any jurisdiction in civil suits or Revenue questions; and, (5) what is their exact position in the Bombay Civil Service?

*SIR J. GORST: (1) The Secretary of State has seen the statement referred to. (2) The Secretary of State has been informed that three officers have been dismissed from Government employment. (3) The Secretary of State has no knowledge respecting the judgment of the High Court of Bombay. (4) The Secretary of State has been informed by the Government of Bombay that the officers referred to in the question

"have been deprived of all judicial functions," and he understands this to mean that they exercise no jurisdiction in civil suits or Revenue questions. (5) The Secretary of State does not understand that any further change has been made in the status of these officers.

DR. CAMERON: Will the hon. Gentleman ask for some further information on the subject?

*SIR J. GORST: If the hon. Member will indicate to me what further information he desires I will ask for it.

TRINIDAD.

MR. ESSLEMONT (Aberdeenshire, E.): I beg to ask the Under Secretary of State for the Colonies, is it the case that, when the Church of England in Trinidad was disestablished, the redistribution of the ecclesiastical grant in 1871 was clearly based on the principle that "the grant of public money made in aid of the maintenance of Christian worship" prior to that date, amounting to £10,435 annually, should be the permanent limit of the ecclesiastical grant, and that any portion of this amount, declined by any of the religious bodies, should not be handed over to the other denominations, but "applied to the general service of the Colony"; was the express understanding that the grant payable to each communion, as determined on this basis—namely, that that was "the whole sum which thereafter would be issued to it, and that no extra votes would thereafter be granted to any religious body whatever"; is it the case that various departures from this settlement have been made and extra votes granted, and, among others, the sum of £500 annually to the Church of England, and of £100 to the Wesleyan Church; so that the public revenue of Trinidad has, since 1871, been taxed for ecclesiastical purposes to an amount of more than £18,000 in excess of the proper ecclesiastical grant, taking into account the refusal of certain denominations to accept of any grant; and, if this be so, will the Government give instructions that the original agreement shall in future be adhered to?

*THE UNDER SECRETARY OF STATE FOR THE COLONIES (Baron H. de WORMS, Liverpool, East Toxteth): The answer to the first paragraph of the hon. Member's question is in the affirmative. As regards the second paragraph, it was contemplated in 1871 that the ecclesiastical grant should eventually be apportioned among the several Christian communities in proportion to the number of members of each communion to be ascertained by a census; and that as between the Roman Catholic Church and the Church of England the redistribution should be effected gradually on the lapsing of the salaries of the ministers of the latter Church who were then in receipt of salaries from the Government. Except for the purpose of correcting the due proportions of the grant, it was not then intended that any extra votes should be granted to any religious body. Departures have been made from the arrangement of 1871. The grant to the Roman Catholic Church was raised in 1872 to the amount of what was estimated to be its proper proportion, without waiting until funds should become available by the falling in of the Church of England salaries. No religious census has been taken, and recently additional annual grants of £500 to the Church of England and £100 to the Wesleyans have been made as a temporary arrangement until the census which is proposed to be taken in 1891. The revenue of Trinidad has since 1871 been taxed for ecclesiastical purposes to a considerable amount beyond what was contemplated at the time. Her Majesty's Government propose that the ecclesiastical grants shall be revised after the census of 1891, but in the meantime they do not propose to interfere with the existing arrangements."

IRELAND.—CATHOLIC TROOPS.

MR. MAC NEILL (Donegal, S.): I beg to ask the Secretary of State for War whether it is the fact that the Catholic parochial clergy invariably minister to Catholic troops stationed in their several parishes and districts in Ireland; why does not the same rule prevail that Irish Protestant clergy should similarly minister to troops of the Protestant faith in their various districts and parishes, and why are English Army Commissioned Protestant Chaplains brought over at great expense to discharge duties which would be quite as efficiently discharged by the local clergy at a small stipend, and which duties the local clergy are ready and willing to discharge; would he have

any objection to direct a Return of the number of the various stations in Ireland at which Commissioned Army Protestant Chaplains and clergymen of the Irish Protestant Church minister to troops, stating in each case the cost of providing for such ministrations; whether it is a fact that six out of the nine barracks in Dublin are ministered to by the local Protestant clergy at a less expense than the remaining three, which are ministered to by Army Commissioned Chaplains; and, will he take any steps to equalize the condition of the Catholic and Protestant clergy and to save the public money?

*MR. E. STANHOPE: It is the fact that the local clergy minister to the Roman Catholic troops in Ireland at the express wish of the Episcopal Authorities there. The same rule applies as regards Protestant denominations when the number of troops are small; but where the number is large it is considered more advantageous to have a commissioned chaplain, who can give his whole time to the men and their families. There are three stations at which commissioned chaplains are serving—Dublin, Cork, and the Curragh. All the Dublin barracks, except Pigeonhouse Fort, are attended by commissioned chaplains. Having regard to all the circumstances, the existing arrangements are considered the most efficient and economical.

CORRESPONDENCE CARDS.

MR. COCHRANE-BAILLIE (St. Pancras, N.): I beg to ask the Postmaster General whether, to meet the public convenience, he will consider it advisable so to alter the Post Office Regulations as to permit of cards for correspondence being sent through the post at the cost of a halfpenny stamp, such cards in all matters of weight, size, and instructions to conform to the regulations of the ordinary postcard system.

*MR. RAIKES: The subject of the hon. Member's question is one which has at various times been considered. The hon. Member himself sees that it would be necessary as a condition of allowing plain cards for letter purposes to pass through the post with a halfpenny stamp that such cards should in size, weight, &c., conform to the regulations laid down for the ordinary postcard. There would, however, be the greatest difficulty in ensuring a compliance with this condition as well as constant friction between the Department and the public. It should, at the same time, be remembered that any extension of the halfpenny post can only increase the loss already attending that branch of the Postal Service. I am sorry I cannot hold out any expectation that it will be possible to adopt the suggestion of the hon. Member.

THE HYDERABAD DECCAN MINING CONCESSION.

MR. LABOUCHERE (Northampton): I beg to ask the Under Secretary of State for India (1) whether his attention has been called to the statement in the *Times*, that appeared on 7th June, alleging that the Secretary of State for India contemplates confirming the Hyberabad Deccan Mining Concession, subject to certain conditions; (2) whether it is a fact that the Nawab Mehdi Ali, the Financial Secretary to the Nizam's Government, has stated that he considers that these terms are inadequate and prejudicial to the Nizam's State, and whether the British resident at Hyderabad, and the Nizam's legal advisers in India, have expressed their concurrence with this view; (3) whether, as it appears from the statement in the *Times*, Messrs. Freshfield and Williams, who were appointed solicitors for the Nizam's Government on the advice of the Secretary of State for India, proposed these terms of settlement to the concessionnaires without any sanction from the Nizam's Government, and threatened to throw up the case rather than communicate the Nizam's proposals to the concessionnaires; (4) whether one of the grounds urged upon the Nizam's Government by Messrs. Freshfield and Williams, in order that it might give its assent to these terms was, that Mr. Watson, the concessionnaire (a gentleman in regard to whom, and to his partners, the Select Committee of last year on the Hyderabad Deccan Company reported,

> "The concessionnaires have used the concession for the purpose of realizing great gains not intended to be conferred on them, and that this has been done to the injury of the State from which they obtained the concession, with the assistance of their partner, Abdul Huk,"

is a man of such financial influence in the City that his action might weaken the credit of the Nizam's Government should

some arrangement approved by him not be come to with him; and (5) whether all the correspondence referred to in the *Times* as having passed between the Government of Hyderabad and the British resident will be laid upon the Table, and Her Majesty's Government will give the House an opportunity to express its opinion thereon, before becoming a party to any final settlement?

SIR G. HUNTER (Hackney, Central) also asked whether the arrangement, whatever it may be, which the Secretary of State might sanction would be a final settlement of all matters in dispute and all claims between His Highness the Nizam's Government, the original concessionnaires, and the company?

*SIR J. GORST: The statement in the *Times*, referred to in the question, is premature; the matter is still under the consideration of the Secretary of State. The Secretary of State has no official information as to the opinion referred to in the second paragraph of the question; nor is he aware of the various confidential communications which may have passed between the solicitors and agents of the Nizam in relation to these matters referred to in the third and fourth paragraphs. Until the Secretary of State has arrived at a decision in the matter it is impossible to say what Papers can with advantage to the Public Service be laid upon the Table.

MR. LABOUCHERE: May I ask whether the hon. Gentleman has seen any of the documents, to which reference is made in the question, in print?

*SIR J. GORST: That is rather a large question. I have seen a great many documents; but none which would enable me to answer as to all the communications which have passed between the solicitors and the agents.

MR. LABOUCHERE: If I submit these documents to the hon. Gentleman, will he consider whether they ought to be laid before the House, having regard to the decision of the Committee which sat to consider the subject last year?

*SIR J. GORST: As soon as the Secretary of State has fulfilled his function in the matter he will, no doubt, be prepared to consider what documents should be laid before the House.

MR. LABOUCHERE: Will the Papers be submitted to the House, to enable the House to take the matter into consideration and decide what action it ought to take?

SIR G. CAMPBELL wished to know whether the Under Secretary had no official information with regard to the opinions and the advice which the British Resident at Hyderabad had given?

*SIR J. GORST said that Papers could not be laid for the purpose of encouraging the House to interfere with the Secretary of State in the performance of his duties. When the Secretary of State had carried out his duty in this matter it would be for the House to say whether it had been properly performed.

SIR G. CAMPBELL: My question had no reference to the Papers before the House, but to the statement of the hon. Gentleman, that the Secretary of State has no official information with regard to the matter referred to in the second and third paragraphs of the question.

*SIR J. GORST: I did not read the question in that way. The question is, whether it is the fact that the Nawab Mehdi Ali has expressed an opinion, and whether the British Resident at Hyderabad has expressed concurrence in that opinion? The Government have the opinion of the British Resident at Hyderabad upon the case, and do not care for his opinion upon somebody else's opinion.

SIR W. G. HUNTER: The Under Secretary for India has misunderstood my question. I do not want to know the nature of the settlement. I ask whether the decision, whatever it may be, will be considered a final settlement of the question?

*SIR J. GORST: That depends upon the company and the concessionnaires. I do not know what they would consider a final settlement.

ST. PANCRAS.

MR. COCHRANE-BAILLIE: I beg to ask the Secretary of State for the Home Department whether, on account of the large area and population of the parish of St. Pancras, he will consider its claim to be entitled to a separate Police Court and Magistracy?

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. MATTHEWS, Birmingham, E.): The principle suggested by the question, of

parochial police courts, would involve an entire redistribution of the present court districts, which have been assigned with a view to the convenience of suitors and the facilities of communication, and would create much confusion without any compensating advantage. I am not prepared to substitute for the present arrangements a system of parochial distribution of Magistrates, although I should always be ready to consider any adjustment of the present district, which would better satisfy the needs of the population.

POSTAL SERVICES IN IRELAND.

MR. TUITE (Westmeath, N.): I beg to ask the Postmaster General whether he has received a memorial from the inhabitants of the districts of Ballynacargy and Ballymahon, asking that a day mail service be established between Mullingar and Ballymahon, *viâ* Ballynacargy; and, if so, is it his intention to accede to the wishes of the memorialists?

*MR. RAIKES: The memorial referred to by the hon. Member has been very recently received, and I am making inquiry on the subject. I find that there have been previous similar applications from the district named; but that it has hitherto been impracticable to afford the accommodation on account of the large expenditure involved.

THE ALBERT MEDAL.

MR. BERNARD COLERIDGE (Sheffield, Attercliffe): I beg to ask the Secretary of State for the Home Department whether his attention has been drawn to the following facts:—

"A few weeks ago, a workman of the name of Benjamin Stanley fell into a casting-pit at Norfork Works, Sheffield, and lay scorched, and with his clothes in flames, close to a white-hot ingot. Whereupon John Smith, another workman, ran for a ladder, placed it in the pit and began to descend, but, in his haste, he, too, fell into the pit and was badly burned; but, nevertheless, he seized Benjamin Stanley, who was unconscious, and pulled him away until, with the aid of others, he was lifted out of the pit, bearing with him the body of the man he had tried to save; Benjamin Stanley died, after great suffering, but John Smith, although badly scorched, happily has survived;"

and, whether Her Majesty's Government will make any recognition of such heroic and self-sacrificing bravery?

MR. MATTHEWS: Yes, Sir; my attention has been called to this matter by the Chief Inspector of Factories, and I am now considering whether the facts of the case are such that I should be justified in recommending to Her Majesty the grant of an Albert Medal.

TRADE MARKS.

MR. OCTAVIUS V. MORGAN (Battersea): I beg to ask the President of the Board of Trade whether his attention has been directed to a statement in the *Ironmonger* of 22nd June, by Mr. Donald Kempson, of Birmingham, who has recently visited Australia—namely,

"But I was sorry to find that, notwithstanding the operation of the Merchandize Marks Act, English merchants are still sending out wire of German manufacture branded with their own (the merchant's) names as makers;"

and, whether he will take the necessary steps to put a stop to these irregular proceedings?

*SIR MICHAEL HICKS BEACH: By the courtesy of the hon. Member, I have had an opportunity of seeing the newspaper named. I have no information as to the practice referred to, but if it exists, the proper way of dealing with it appears to me to be by legislation in the Colonies on the lines of the Imperial Act, and the expediency of such legislation has been pressed upon the Colonial Governments, who have promised to undertake it.

THE AUSTRALIAN MAILS.

MR. OCTAVIUS V. MORGAN: I beg to ask the Postmaster General whether his attention has been directed to a letter in the *Melbourne Argus*, of 26th April, in which it is stated that the mails from Victoria, New South Wales, Queensland and Tasmania, are every week detained in Adelaide for 55 hours, waiting the departure of the steamer to Europe; and, whether he will use his influence to remedy this grievance?

*MR. RAIKES: I have seen the letter to which the hon. Member refers, and I am aware that the mails from the various Colonies are despatched considerably earlier than they need be if a Colonial train service were organised in direct correspondence with the departure of the packet. The whole question of the inter-Colonial train service and the day of departure from Adelaide is a difficult one, and has been for some time receiving my careful consideration in conjunc-

tion with the Australian Agents-General in London. The whole delay would be obviated if the Colonial Authorities were to establish a mail train from Melbourne to Adelaide on Saturday evenings.

UNITED STATES CONSULAR FEES.

MR. OCTAVIUS V. MORGAN: I beg to ask the Under Secretary of State for Foreign Affairs whether he is aware that the United States Consuls in London, Liverpool, &c., have reimposed the charge of 2s. 6d. declaration fee on every invoice of goods shipped from this country to the United States, and that this charge is not collected from shippers in Germany to the United States; and, whether he will take the necessary steps to put a stop to this unequal treatment of British subjects?

*THE UNDER SECRETARY OF STATE FOR FOREIGN AFFAIRS (Sir J. FERGUSSON, Manchester, N.E.): I explained to the hon. Member last year that the fee in question was not levied by the United States Consular officers, but that it is charged by the proper British official before whom declarations on invoices, which are required by the United States Regulations, are sworn. I also informed the hon. Member of the explanation given by the United States Government of the circumstances under which the oath was not enforced in Germany, and that Her Majesty's Government had addressed a representation on the subject to the United States Government. I regret to say that the latter Government have not yielded to those representations, which pointed out that the action complained of constituted, in the opinion of Her Majesty's Government, differential treatment in favour of Germany as against this country. I may add that, as far as Her Majesty's Government are aware, the United States Consuls in this country have not discontinued requiring the oath.

MR. O. V. MORGAN: Last year the United States ceased to charge this fee of 2s. 6d. on a great many imports, but this year they have reimposed it.

*SIR J. FERGUSSON: I have gone carefully into the matter, and as the United States' Government decline to waive their declaration, and our law does not admit of the Consul administering the oath, I fear there is nothing to be done.

INDIAN COUNCIL APPOINTMENTS.

SIR ROPER LETHBRIDGE (Kensington, N.): I beg to ask the Under Secretary of State for India whether, since the establishment of the rule in the India Office that membership of the Secretary of State's Council should be held for only ten years, any appointments to that Council have been made for life; and, if so, in what instances, by what authority, and on what grounds?

*SIR J. GORST: Yes; the late Sir Henry Maine, Sir Henry Yule, and General Strachey, by authority of 39 Vic. c. 7. The special grounds for the appointments were in accordance with the Statute laid in each instance before both Houses of Parliament.

H.M.S. *TRAFALGAR*.

CAPTAIN M'CALMONT (Antrim, E.): I beg to ask the First Lord of the Admiralty whether the armour plates of H.M.S. *Trafalgar*, lately launched at Portsmouth, have been fixed on with the screw bolts, invented by the late Sir William Palliser?

THE FIRST LORD OF THE ADMIRALTY (Lord G. HAMILTON, Middlesex, Ealing): The bolts used in fixing the armour-plates of the *Trafalgar* have reduced shanks, as proposed by the late Sir William Palliser. In other details they are not made on his plan.

IRELAND—PROSECUTION OF FATHER DOYLE AND FATHER BROWN.

MR. WILLIAM REDMOND (Fermanagh, N.): I beg to ask the Solicitor General for Ireland whether the Government intend to proceed with the prosecution of Father Doyle and Father Brown, and the 20 other gentlemen, who were summoned last Thursday, at Archerstown, county Wexford; whether he is aware that large and representative meetings, presided over by the Mayor of Wexford, the Chairman of the Enniscorthy Town Commissioners, and the Chairman of the New Ross Town Commissioners, have been held to protest against the prosecution of Father Doyle, on the ground that Father Doyle has been largely instrumental in maintaining good relations between landlords and tenants in the district; and whether, in view of this, and the great indignation felt all through the district, the Irish Government will order the dis-

continuance of the proceedings in question?

*THE SOLICITOR GENERAL FOR IRELAND (Mr. MADDEN, University of Dublin): As prosecutions are being instituted, I am precluded from entering into any discussion of the case. The Irish Government see no reason to interfere with the proceedings.

MR. W. REDMOND: Notwithstanding the excitement and widespread indignation which exists throughout the district, I can assure the hon. and learned Gentleman that if these proceedings are allowed to go on I view the possible result with considerable alarm.

*MR. MADDEN: I have already told the hon. Gentleman that, as the case is *sub judice*, I am precluded from entering into it.

MR. W. REDMOND: In consequence of the reply of the hon. and learned Gentleman I beg to give notice that when the Irish Estimates are brought up I will, on the Vote for the Chief Secretary's salary, call attention to the absolute danger to the public peace entailed as the wanton prosecution of the most respected priests in Ireland, such as Canon Doyle.

MR. SEXTON (Belfast, W.): Can the hon. and learned Gentleman give any information in regard to the statement contained in the close of the second paragraph of the question of my hon. Friend—namely, that Canon Doyle has been largely instrumental in maintaining good relations between the landlords and tenants in the district?

*MR. MADDEN: I can only say that the accused will have the full benefit at the trial of any facts which may be proved in the case.

MR. W. REDMOND: Will the hon. and learned Gentleman say why these proceedings have been postponed until the 4th of July, these gentlemen having been notified some time ago that they would be proceeded against?

*MR. MADDEN: No, Sir; I am not able to say.

MR. W. REDMOND: Then upon my word, I think you ought to be able.

*MR. SPEAKER: Order, order!

In reply to Sir J. SWINBURNE (Staffordshire, Lichfield,)

*MR. MADDEN stated that all the circumstances of the case had been fully considered by the Law Officers of the Crown.

CRIMINAL PROSECUTION DEPARTMENT.

SIR GEORGE CAMPBELL (Kirkcaldy): I beg to ask the Secretary to the Treasury whether the arrangements for re-organizing the Department of the Solicitor to the Treasury, set forth in the Treasury Minute, of 20th December last, include the whole of the Establishments for the Department of Criminal Prosecutions; whether any of the three Assistant Solicitors are stationed in the provinces for the purpose of Criminal Prosecutions, or whether there are any other Government officers so employed, or whether a private solicitor is employed in each case; and, whether in any other large Department of the State the plan has been adopted by making an allowance to the head of the Department to appoint and pay his own subordinates at his personal discretion?

MR. JACKSON: The answer to the first question is, Yes. As regards the second, the three Assistant Solicitors are permanently attached to the office of the Treasury in London; but they, in common with the other officers of the Department, are liable, in the case of prosecutions of exceptional importance, to attend at Assizes. No Government officers are stationed in the provinces; but the solicitor engages such local solicitor as he considers competent to conduct each case as it arises. The plan of making an allowance to the head of a public Department out of which he pays a staff of subordinates, employed by himself, has been tried in the Department of the Chief Official Receiver in Bankruptcy, and in that of the Solicitor to the Board of Trade. A Departmental Committee is at present inquiring whether, and subject to what conditions, a similar system can be introduced in the Departments of the Solicitors of all the great public Departments. The hon. Member, of course, understands that the sum allowed is a maximum which must in no case be exceeded; and that if the entire sum is not actually expended in any year the surplus is retained in the Exchequer, and affords no emolument to the head of the Department.

SIR G. CAMPBELL: I beg to give notice that on the Estimates I will call attention to the very unsatisfactory position in which this question stands.

POSTMASTER OF POOLEWE.

DR. MACDONALD (Ross and Cromarty): I beg to ask the Postmaster General if a man named Boa has been or is about to be appointed Postmaster in Poolewe; in either case is he aware that strong representations have been made by the inhabitants of that district protesting against the appointment of Boa; and whether he will take these representations into his consideration?

*MR. RAIKES: The Lords of the Treasury have nominated Mr. Boa sub-Postmaster at Poolewe. Unless he should prove, upon inquiry, to be ineligible or unfit for the situation, the nomination will be confirmed. I shall, of course, be prepared to consider any representations that may be made to me on the subject.

THE AUSTRALIAN MAIL SERVICE.

MR. HENNIKER HEATON (Canterbury): I beg to ask the Postmaster General, referring to the official statement that the contribution of the British Government to the total cost of the Australian Mail Steamship Service (£170,000) is £95,000 anually, and that while the British Government do not pay a fixed annual subsidy towards the cost of the conveyance of mails to and from the Cape of Good Hope, yet

"The Government of this Country gives in lieu thereof a larger proportion of the postage on all mails exchanged between the Mother Country and the Cape Colony;"

whether the British Post Office and the Postal Authorities at the Cape are in accord as to the proportion to be paid to the English Post Office; what proportion of postage is retained by this Country; and, what proportion the Cape Colony proposes to pay?

*MR. RAIKES: The Imperial Post Office and the Postal Authorities of the Cape Colony are not yet in accord as to the proportion of postage to be retained by the English Post Office under the new Mail Contracts; but I have proposed a scheme which I hope will lead to an early and satisfactory solution of the question.

ARMENIA.

MR. CHANNING (Northamptonshire, E.): I beg to ask the Under Secretary of State for Foreign Affairs whether Her Majesty's Government have received any information as to the memorial alleged to have been sent by the Armenians of Van to the Turkish Government, denying the recent Kurdish outrages; whether it is the fact that the memorial was drafted in Constantinople, and sent to the Governor of Van with instructions to use pressure to obtain signatures; whether the signatories include several political criminals who have been released from prison since the sending in of the memorial; whether it is true that Moussa Bey is to be brought for trial to Constantinople, and that the present head of the police at Constantinople is Bahri Pasha, an uncle of Moussa Bey; and, whether Her Majesty's Government have any information as to the alleged murders of three Armenians at Tchermong, in the province of Diarbekir, by Mahometans?

*SIR J. FERGUSSON: Her Majesty's Government have no information in regard to the memorial alluded to in paragraphs 1, 2, 3 of the hon. Member's question. Moussa Bey has reached Erzeroum, and was to leave that place for Constantinople on the 10th instant. Bahri Pasha, the Mutessarif of Pera, is connected by marriage with Moussa Bey, as Bahri Pasha's sister was one of the wives of Moussa Bey's father. No information respecting the alleged murder of three Armenians at Tchermong has reached Her Majesty's Government.

MR. CHANNING: Will the Foreign Office make an inquiry into the matter?

*SIR J. FERGUSSON: Her Majesty's Ambassador, in pursuance of his instructions, will naturally watch these cases.

KING JA JA.

MR. WILLIAM REDMOND: I beg to ask the Under Secretary of State for Foreign Affairs whether King Ja Ja has been examined by two doctors in St. Vincent, who reported unfavourably on the condition of his health; whether the Government will now allow the King to visit England; and whether King Ja Ja has expressed himself most anxious to meet the wishes of the British Government in every respect?

MR. JOHNSTON (Belfast, S.): If the right hon. Gentleman is not able to answer the second paragraph of the question, will he consider the propriety of sending his Black Majesty to the warm climate of the South of Ireland?

*Mr. SPEAKER: Order, order!

*Sir J. FERGUSSON: With regard to questions one and two, the examination of Ja Ja's condition showed that he was suffering from no organic complaint, and was in no worse health than most persons are at his advanced age; the question of a change of residence is under consideration. No expression, such as that referred to in paragraph 3 of the hon. Member's question, has been communicated to Her Majesty's Government, as having been used by Ja Ja, but it is very possibly true.

Mr. W. REDMOND: Have the Government any objection to allow King Ja Ja to come to England in the same way that Cetewayo, a much more important man, was allowed to come, if he will give an undertaking not to use his visit against the Government?

*Sir J. FERGUSSON: I am not prepared to give an answer to that question.

Mr. W. REDMOND: Then I will repeat it.

THE INDIAN BUDGET.

Mr. MACNEILL: I beg to ask the First Lord of the Treasury whether he can now say at what date the Indian Budget will come before the House for discussion; and, whether, to prevent the postponement of the consideration of Indian matters to the close of the Session, he will take any, and what, steps for securing an opportunity for their adequate discussion?

*The FIRST LORD of the TREASURY (Mr. W. H. Smith, Strand, Westminster): I am not in a position yet to fix a date when the Indian Budget will be taken. Full opportunity for its discussion will be provided.

SUPPLY.

Mr. HENRY J. WILSON (Yorkshire, W.R., Holmfirth): I beg to ask the First Lord of the Treasury when the Votes which have been passed over, in Class 2, will be taken?

*Mr. W. H. SMITH: It is impossible at present to say. I have already indicated the measures upon which the Government require the consideration of the House to be taken from day to day. The Estimates will be postponed until those measures are disposed of.

LOCAL GOVERNMENT ACT—LICENSE DUTIES.

Sir MATTHEW WHITE RIDLEY (Lancashire, N., Blackpool): I beg to ask the President of the Local Government Board whether, in the event of no financial arrangement having been effected either provisionally or permanently between a county and a county borough under the Local Government Act, the Local Government Board will themselves provisionally determine next month the proportion of License Duties to which such authorities are respectively entitled, and will make some payment to them accordingly?

*Mr. RITCHIE: In the event of no agreement being arrived at provisionally between a county and a county borough with regard to the division of the Local Taxation Licenses and Probate Duty Grant in respect of the current financial year, it will devolve on the Commissioners appointed under the Local Government Act to make the necessary provisional apportionment. I learn from the Commissioners that a majority of the counties and county boroughs have already arrived at provisional agreements, which have been submitted to the Commissioners for their sanction. Until the necessary apportionment has been made between a county and county borough the Local Government Board will not be in a position to make any payments to the authorities of those districts.

IRELAND—BOARDING OUT OF PAUPER CHILDREN.

Mr. TUITE: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether, having regard to the satisfactory results from the system of boarding out pauper children, he is prepared to recommend the extension of the provisions of the Order recently issued by the Local Government Board for England to the Poor Law Unions in Ireland?

Mr. MADDEN: The regulations at present in force in Ireland with respect to the boarding out of orphan and deserted children appear to include the most important of the provisions contained in the English Orders referred to by the hon. Member. The main difference seems to be in relation to the visiting and inspection of these children, which

in England may be done by members of a Committee formed for the purpose, while in Ireland this duty is entrusted to the relieving officer. The Irish Local Government Board will consider whether it would be possible to appoint such a Committee, and, if so, whether any advantage could result therefrom.

THE ZAMBESI.

EARL COMPTON (Yorkshire, N.R., Barnsley): I beg to ask the Under Secretary of State for Foreign Affairs whether he can give the House any information with regard to the present negotiations with Portugal as to the Zambesi and the territories lying to the north of that river, and south of the sphere of Germany and the Congo State; whether the Zambesi has been treated by the British Government as a free and open river by the action of our men-of-war in pursuit of slaves, and by the British Government defraying the expenses of the Livingstone Expedition in 1859, when H.M.S. *Pioneer* constantly used the river without permission from any other Government; what are the diplomatic methods employed by Her Majesty's Government in order to protect the lives and properties of British subjects on and in the neighbourhood of Lake Nyassa; whether Her Majesty's Government are aware that the Portuguese Government, in carrying out the provisions of the blockade, prevent arms being sent to British subjects, while they allow weapons to be introduced which can only be intended to arm the slave dealers; and whether a complete surrender to the claims of the Portuguese Government, which would inevitably lead to an extension of slave trade in South Africa, is contemplated by Her Majesty's Government?

*SIR J. FERGUSSON: There are no negotiations at present with the Portuguese Government on the subject of the noble Lord's question. We have no record to the effect that any of Her Majesty's ships have pursued slavers on the River Zambesi. H.M.S. *Pioneer* navigated the river, and Her Majesty's Government have maintained the right of Her Majesty's subjects to do so, as on an International highway. The danger to British settlements arises entirely from the hostility of the Arab slave dealers, and therefore there is no question of protection by diplomatic methods. Her Majesty's Government have no such information. There is no ground whatever for such an imputation. We have no intention of surrendering any right that we have claimed in those regions.

EARL COMPTON: The reason why I used the words "diplomatic methods" in the third paragraph of the question was that they were the words used by the Prime Minister to a deputation. I understood that the Government had promised to use diplomatic methods, in order to secure the safety of the Scotch missionaries. Is nothing being done at the present moment for the safety of the subjects of Her Majesty in the district of Lake Nyassa?

*SIR J. FERGUSSON: I would refer the noble Lord to the full statements which have been made, both in this and the other House of Parliament, and to the Prime Minister's explanation upon the subject. They go much further than I could do in an answer to a question. Her Majesty's Government are not indifferent to the rights which Her Majesty's subjects have gained in connection with these rivers; but, as I have intimated, no negotiations are going on at present.

SIR J. SWINBURNE: Is it not the case that Arabs and native Portuguese subjects can obtain arms and ammunition, whereas British subjects are prevented from importing either arms or ammunition?

*SIR J. FERGUSSON: We have not been so informed.

DR. CLARK: When did the Government receive their last information? Will they ask for further information from the British Consuls as to whether it is a fact that large quantities of arms and ammunition are now passing through the Portuguese Colony of Mozambique into Central Africa?

*SIR J. FERGUSSON: If that is the case Her Majesty's Government will be informed by their agents.

CONTAGIOUS DISEASES (ANIMALS) ACT.

SIR RICHARD PAGET (Somerset, Wells): I beg to ask the Vice Chamberlain if he will be good enough to state when the Annual Veterinary Report of the Agricultural Department for the year 1888 on the working of the Contagious Diseases (Animals) Act will be

presented; and why its presentation has been so long delayed?

THE VICE CHAMBERLAIN (Viscount LEWISHAM, Lewisham): In consequence of the Report containing a number of coloured plates which have taken a long time to prepare it has not been found possible to issue it quite so early as in previous years. It is, however, expected that it will be ready for distribution within 10 days.

THE JAMAICA GOVERNMENT RAILWAY.

CAPTAIN PRICE (Devonport): I beg to ask the Under Secretary of State for the Colonies whether it is true that the Jamaica Government Railway, described officially as being in a flourishing condition, and which is now earning all the interest and expenses payable thereon, besides putting by 1 percent for a sinking fund, is to be sold to an American Syndicate for £800,000, of which £100,000 only is to be paid in cash, and £700,000 in second mortgage bonds, no interest on which is payable until 5 per cent has been paid upon £1,500,000 first mortgage bonds of the Company; is it the case that although the promoters pay £100,000 in cash, yet at the same time they are to receive back £100,000 in Ordinary Stock on the formation of the Company, besides a vast tract of land free of charges or taxation; is it the case that the £1,500,000 to be raised for the extension of said railway is virtually under the guarantee of the Government, as under the agreement for the sale, in the event of the contractors not fully carrying out their engagements, or failing to pay the interest on the bonds, the Government will have to take back the railway, thus saddling the country with a debt of £2,200,000, the interest of which is to be earned in the future, instead of a debt of £800,000, the interest of which is now being earned; and, if these are substantially the facts of the case, will the Secretary of State for the Colonies delay giving his sanction to the agreement until the matter has been submitted to the consideration of the constituencies, the recent elections having taken place before the agreement was made public?

*BARON H. DE WORMS: In order to secure the extensions, which were much needed, of the existing Jamaica Government Railway, an agreement has been made on behalf of the Government of Jamaica, subject to confirmation by the Legislative Council, with an American Syndicate for the sale of the Government Railway to a company to be incorporated in Jamaica and for the construction of the required extensions of the railway. The railway is in a flourishing condition, and is earning sufficient to pay its working expenses and the interest and 1 per cent sinking fund on the railway loan. The Government is to receive from the company £100,000 cash and £700,000 second mortgage bonds, bearing 4 per cent interest payable after payment of 4 per cent interest on the first mortgage bonds to be issued to provide for the cost of the extensions, which will ultimately amount to £1,500,000. The promoters are to pay £100,000 for £100,000 second mortgage bonds. They are also, as part of the general arrangement, to receive the same amount of ordinary stock of the company and a square mile of land for every mile of the extension. In the event of the company failing to pay the interest on the mortgage bonds or to maintain and work the railway including the extensions, in accordance with the agreement, it may be wound up, and in that case the Government are to take over the railway and extensions and issue to the bondholders £100 3½ per cent Government stock in exchange of each £100 of first mortgage bonds. In that event the Government will have incurred an addition to the public debt of £1,500,000, and will have to look to the earnings of the railway and extensions to provide for the interest. The Secretary of State has not been officially informed of the confirmation of the agreement; but he learns from the colonial newspapers that it has been confirmed by the Legislative Council, subject to some modifications. He awaits the Governor's Report, and the law which will have to be enacted to give effect to the agreement; but, as at present advised, he does not think it necessary that the matter should be again submitted to the consideration of the constituencies.

DEVONPORT DOCKYARD—DISCHARGE OF WORKMEN.

CAPTAIN PRICE: I beg to ask the First Lord of the Admiralty whether amongst the men discharged from Devon-

port Dockyard from time to time there are several who have served their apprenticeship there; and, whether he could take steps to avoid the loss of these men who have been trained and gained several years' experience at the expense of the country?

LORD GEORGE HAMILTON: Among the men recently discharged from Devonport Dockyard some had been apprentices in the yard. Though it is desirable to retain as many as possible of the men who have passed through their apprenticeship in the yard, I am unable to give any guarantee that none will be discharged in the future.

SALVATION ARMY AND THE POLICE.

MR. JAMES STUART: I wish to ask the Home Secretary what information he can give the House as to the collision between the police and the Salvation Army in the Strand on Wednesday evening, and whether the action of the police was taken under the proclamation in regard to Trafalgar Square?

MR. GRAHAM (Lanarkshire, N.W.): May I ask also whether the damage done will be made good by the Metropolitan Police?

MR. MATTHEWS: I am informed by the Commissioner of Police that on the 24th inst. Mr. Booth, of the Salvation Army, wrote to him asking that arrangements might be made to facilitate the passage of a procession of about 1,000 strong from the City through the Strand to Exeter Hall. The Commissioner replied that this route would certainly cause obstruction and inconvenience, and he requested that the procession should go by way of the Embankment to Savoy Street, and proceed thence by twos or threes to Exeter Hall, so as not to interfere with the traffic. Mr. Booth repeated his request, and again received a similar reply. For the last two years Salvation Army processions going to Exeter Hall from the City have invariably taken the Embankment route. At 5·50 yesterday about 600 Salvationists, with bands and banners, arrived in the Strand from the City *en route* to Exeter Hall. They were allowed to proceed as far as Norfolk Street, being the most convenient way to the Embankment, and were there requested by the police to turn off. The leader of the procession objected, and decided to disperse the procession there and then, telling the members of it to go on the pavement to Exeter Hall. The pavement was immediately thronged, and some people carried a large banner, which threatened damage to the shops and lamps, and caused much inconvenience. The police requested that this should be taken down. This was not done, and in the attempt to prevent its being carried some confusion took place and the banner was broken. No persons were arrested, and the damage caused by broken windows was accidental. Owing to the crowd the police had some difficulty in regulating the traffic, which was impeded for about 20 minutes. I am informed by the police that the account in the papers of what took place is much exaggerated. The police only interfered with the procession in consequence of the grave public inconvenience caused by a procession at that hour along a crowded thoroughfare like the Strand, and not in consequence of any regulations issued with regard to Trafalgar Square.

MR. JAMES STUART: Under what statute did the police act?

MR. MATTHEWS: The police, under a number of statutes that I need not enumerate, have power to regulate the traffic of the streets, and a body of 600 persons marching in procession with bands and banners through a crowded thoroughfare is a public nuisance.

MR. HOWELL (Bethnal Green, N.E.): May I ask under what police regulations it was that the processionists were ordered to proceed in twos and threes?

MR. MATTHEWS: The suggestion of the police to this effect was a suggestion of common sense.

MR. J. ROWLANDS (Finsbury, E.): Is it not the fact that the Salvation Army have been allowed to proceed to Exeter Hall along the Strand on this occasion in the two previous years?

MR. MATTHEWS: In the two previous years the procession proceeded along the Embankment.

MR. JAMES STUART: Was the interference with this procession in consequence of the proclamation with regard to Trafalgar Square?

MR. MATTHEWS: No; quite irrespective of any proclamation.

MR. JAMES STUART: I beg to give notice that I will put a further question on the subject.

DR. CLARK: May I ask if the right hon. Gentleman noticed that the procession proceeded quite quietly through the City, and that it only became a nuisance when it came within his jurisdiction?

EARL COMPTON: Was the action taken by the police due to the fact that this was a procession of the Salvation Army?

MR. MATTHEWS: Certainly not. That had nothing in the world to do with it. Notice was given by Mr. Booth that a body of 1,000 persons was going to proceed along the Strand to Exeter Hall, and when the procession arrived the processionists were requested to take the route by the Embankment.

PRIVATE BILL PROCEDURE (SCOTLAND) BILL.

*MR. CAMPBELL-BANNERMAN (Stirling Burghs): I beg to give notice that on the Second Reading of the Private Bill Procedure (Scotland) Bill I will move that

"This House declines to consider this Bill until the Local Government (Scotland) Bill and the Local Government (Scotland) Supplementary Provisions Bill have passed through Committee."

THE CASE OF THE DESERTER THOMPSON.

MR. WADDY (Lincolnshire, Brigg): I rise, Sir, to move the adjournment of the House for the purpose of discussing a matter of urgent public importance—which is, the conduct of Her Majesty's Government and the Admiralty and Captain Woodward and other of Her Majesty's officers, under the direction and sanction of the Admiralty, as disclosed in the judgment of the Queen's Bench Division of the High Court in the case of "The Queen v. Woodward."

*MR. SPEAKER: I must inform the hon. Member that he is doubly precluded from bringing forward this Motion. The Vote the other night, as I understand, was purposely postponed, and now stands for the 1st of July, to enable the whole question to be gone into; and the hon. Member for Coventry has a Motion on the Paper to go into the whole question of the arrest of Thompson.

MR. WADDY: I venture without questioning your ruling, Sir--["Order!"] I hope I may be permitted to indicate with great respect the difference which appears to me to exist between the two.

*MR. SPEAKER: There is no difference. It would be a case of anticipation of the most decided character, and I cannot permit it.

MOTION.

INFECTIOUS DISEASE NOTIFICATION BILL.

On Motion of Mr. Ritchie, Bill to provide for the Notification of Infectious Disease to Local Authorities, ordered to be brought in by Mr. Ritchie and Mr. Long.

Bill presented, and read first time. [Bill 293.]

COURT OF SESSION AND BILL CHAMBER (SCOTLAND) CLERKS BILL.

Reported from the Standing Committee on Law, &c.

Report to lie upon the Table, and to be printed. [No. 216.]

Minutes of Proceedings of the Committee to be printed. [No. 216.]

Bill, as amended, to be taken into Consideration upon Monday 1st July, and to be printed. [Bill 290.]

JUDICIAL FACTORS (SCOTLAND) BILL.

Reported from the Standing Committee on Law, &c.

Report to lie upon the Table, and to be printed. [No. 217.]

Minutes of Proceedings of the Committee to be printed. [No. 217.]

Bill, as amended, to be taken into Consideration upon Monday 1st July, and to be printed. [Bill 291.]

MERCHANT SHIPPING (TONNAGE) BILL.

Reported from the Standing Committee on Trade, &c.

Report to lie upon the Table, and to be printed. [No. 218.]

Minutes of Proceedings of the Committee to be printed. [No. 218.]

Bill, as amended, to be taken into Consideration upon Thursday 4th July, and to be printed. [Bill 292.]

ORDERS OF THE DAY.

SECRETARY FOR SCOTLAND BILL [LORDS] (No. 249.)

Read the third time, and passed, without Amendment.

BOARD OF AGRICULTURE BILL.

(No. 285.)

As amended, considered.

SIR R. PAGET (Somerset, Wells): I beg to move the omission from Clause 1 of all the words after the word "Scotland" to the end of the first sub-section. As it stands the clause seems to be of a somewhat misleading character, and it is with the desire of making it clearer that I propose to remove these words. I have already, in the Committee on the Bill, received from my right hon. Friend the First Lord of the Treasury (Mr. W. H. Smith) the clearest assurance that the Board is not to be a consultative body, but is to be one analagous to the Local Government Board, and that the President is to be a responsible Minister, who cannot shelter himself behind the opinions or decisions of the members of the Board. My object is to secure that there shall be no doubt whatever in the matter, and that we shall have virtually a responsible Minister acting by himself and not even assisted by a consultative Board.

Amendment proposed, Clause 1, page 1, line 10, to leave out from the word "Scotland" to end of Sub-section 1.—(*Sir R. Paget.*)

Question proposed, "That the words proposed to be left out stand part of the Question."

*THE FIRST LORD OF THE TREASURY (Mr. W. H. SMITH, Strand, Westminster): I do not know whether my hon. Friend wishes me to repeat the assurance I gave the Committee last Monday. If a Member of the Government repeats assurances he has given, it seems to me he almost weakens the force of the statements he has previously made. The House is generally prepared to accept a positive statement and engagement made by a Member of the Government on his responsibility; and I can only say I adhere to every word I used on Monday as to the absolute personal responsibility of the President of the Board. These words are not intended and shall not have the effect of lessening in any degree the responsibility of the President. It is not intended that by the admission of any other persons to this Board the President shall be able, in the slightest degree, to shelter himself from or relieve himself of that responsibility which is placed on him by this Bill, and which he will receive under the same conditions as the President of the Board of Trade and the Local Government Board receive theirs. There are other reasons why this power of associating other members with him should exist. In order, however, to guard against the danger which the right hon. Gentleman the Member for Sheffield (Mr. Mundella) referred to the other day, I propose to insert these words after the word "pleasure"—

"Provided that the Board shall not be entitled to act unless the President or some one of the officers of State above-mentioned is present."

The result will be that no official act of the Board can be done without the presence of a responsible minister. There may sometimes be reason for sudden and immediate action, and these words will prevent anything being done except with the consent of a responsible minister.

MR. HENEAGE (Great Grimsby): I am quite willing to accept in perfectly good faith any expression of opinion which falls from the right hon. Gentleman the First Lord of the Treasury, but the right hon. Gentleman can only answer for the course of procedure of the present Government. My right hon. Friend the Member for Mid Lothian (Mr. Gladstone) established a Committee with a Vice President in this House, the object being that the Vice President should be responsible, but for the last two years we have had a state of things under which there is no responsible Minister in this House. The Vice President in charge of agriculture has become an absolute myth. He is a Member of the other House, and whether he does any work in the Committee on Agriculture we do not know. It would be perfectly fair for any future Government to read this Act in such a way that any Member of the Board might do the work of the President in his absence. I must say I do not think the Government are carrying out the undertaking given the other night to the effect that the President of the Board would be the Minister solely responsible, if we are to have a provision that the Board may meet and transact business in the absence of the President. If the words proposed be adopted, we shall be in exactly the same position as

we were in the first instance. Of course, after what has taken place, one is helpless in the matter. I received the assurance of the right hon. Gentleman in Committee, and I accepted it in perfect good faith, but it seems to me that if these words are accepted the Minister at any possible time may be utterly irresponsible.

SIR R. PAGET: The assurance of my right hon. Friend is so clear and so pronounced that, though I myself should infinitely prefer to leave these words out, I shall not press my Amendment to a division.

Amendment, by leave, withdrawn.

Amendment proposed, Clause 1, page 1, line 12, after the word "pleasure" to insert:—

"Provided that the Board shall not be entitled to act unless the President or one of the officers of State above-mentioned is present." —(*Mr. W. H. Smith*)

*MR. W. H. SMITH: I may be allowed to assure the right hon. Gentleman (Mr. Heneage) that these words have been most carefully drawn, and will, I believe, be sufficient for the purpose, but if it should be found that anything has been omitted a change can be made in another place.

MR. ESSLEMONT (Aberdeen, East): I accept the assurance of the right hon. Gentleman in all good faith, but I would ask whether, if the President is present, but does not agree with the decision of the Board, such decision will be an act of the Board.

MR. H. H. FOWLER (Wolverhampton, East): I understand that it is not contemplated for a moment that the Board shall control or interfere with the responsible Minister in the sense of a consultative body. I take it that the Minister for Agriculture will be as supreme in his own Department as the Presidents of the Board of Trade or Local Government Board are in theirs I understand the right hon. Gentleman the First Lord to say that anybody who is put on the Board is to have really no executive power or responsibility at all. I think my right hon. Friend (Mr. Heneage) and the hon. Gentleman opposite may accept the proposed alteration as really, substantially, and, I think, wisely carrying out the intentions they have in view.

Amendment put, and agreed to.

*MR. W. H. SMITH: An undertaking was given on Monday that we would consider whether "all" should be substituted for "such" in the 8th Section. We think it would be better to keep the wording of the clause as it is.

MR. JEFFREYS (Hants, Basingstoke): I wish to ask whether the new Board will take over the supervision of the new Inspectors?

*THE PRESIDENT OF THE BOARD OF TRADE (Sir M. HICKS BEACH, Bristol, W.): That will be considered, if necessary, under the provisions of the Bill, which enable such matters to be transferred.

*MR. W. H. SMITH: I do not know whether the House will consent to the Third Reading of the Bill being taken now. There is practically no difference of opinion in the House upon the measure.

Motion made, "That the Bill be now read a third time."

Question put, and agreed to.

Bill read a third time, and passed.

UNIVERSITIES (SCOTLAND) BILL.
(No. 137.)

Considered in Committee.

(In the Committee.)

Clause 5.

*MR. HUNTER (Aberdeen, N.): I beg to propose to leave out "(c) an assessor nominated by the Chancellor." The ground on which I make this proposal is that, as far as our experience has gone, the only result of the patronage of the Chancellor has been to introduce another person of exactly the same stamp as the assessor nominated by the Senatus. During all these years, with scarcely a moment's interval, the University of Aberdeen has been under the control of a thoroughly reactionary Government not caring for the interests of education, and solely concerned with exercising the patronage of the University in a Tory and Church direction.

Amendment proposed, Clause 5, page 2, line 32, leave out "(c) an assessor nominated by the Chancellor."—(*Mr. Hunter.*)

THE LORD ADVOCATE (Mr. J. P. B. ROBERTSON, Bute): I cannot accept this Amendment. The office of Chancellor was established

as comparatively recently as 1858, and I think it most desirable that he should be represented on the Court for two reasons—in the first place, in order that his influence may be duly exercised at the primary stage of administration; and, secondly, in order that he may be in touch with the sentiments that prevail in that mixed body. At the last sitting of the Committee it was urged that there should be a representative of the town of St. Andrew's and one of the town of Dundee on the University Court of St. Andrew's. The Government thought it necessary to oppose both propositions having regard to the inferences which might be drawn from the adoption of either. As regards the question of St. Andrew's, which the House is now considering, I need hardly say that if it should meet the general views of the House, as indicated on the last occasion and also now, that there should be some strong local representation, the Government are quite prepared to carry out those views. I will go further, and say that various Amendments face us as regards like questions in the case of the other Universities; and the Government think it is perhaps right that the general public should be represented, and think it better that it should be a universal representation and not merely a local representation of the public. We propose in this Bill that the Crown should be vested with the nomination of two members. It appears that there is a strong feeling in some sections, I might almost say in all sections, of the House in favour of a more distinctively local representation than is implied in that method, and the Government are prepared to give way to this extent—that they will give one of the Crown nominees to be elected by the Town Councils of Glasgow and Aberdeen. The result will be that we shall put upon a completely symmetrical position the composition of the whole of the University Courts to this extent—that in each of them there will thus be two municipal representatives. In the case of St. Andrew's I think that even the hon. Member for St. Andrew's will hardly suggest that we should give at once the Provost a seat and an assessor elected by the Town Council another seat. But the Government think that the present affords a happy opportunity of dealing with both the old and the new by giving a seat on the University Court to Dundee as well as to St. Andrew's. Accordingly, as the best and most dignified course for both these, the Government propose to seat the Provost of St. Andrew's and the Provost of Dundee on the University Court of St. Andrew's. They propose to give the University Courts of Glasgow and Aberdeen another municipal member, their Provost being already seated; and, therefore, in each case there will be an assessor elected by these Town Councils. That does not require to be extended to Edinburgh, because Edinburgh is the centre from which we start, and is represented by its Provost and an Assessor. I hope that the Committee will consider that these are fair concessions on the part of the Government, and that it is a matter on which the Government should consider not merely the reasons, but the preferences, of all sections of the Committee. I have said that we propose to find the seats thus required by reducing the Crown nominees from two to one. I think the Committee generally will be of opinion that this is a fair holding of the balance between the general public and the local public. It would hardly be possible to justify the placing of the whole representation in the local communities unless the Universities were to renounce their claims to public recognition generally, and confine themselves to the localities in which they are situated. I think that that would be a mistake. I hope I have convinced the Committee of the desire of the Government to conciliate opinion on this subject; and in view of the concessions of the Government I trust I may appeal to the hon. and right hon. Gentlemen opposite to curtail the discussion on the other points to be raised hereafter on this clause. As to increasing or decreasing the numbers of the University Courts, I believe there is a general agreement that the University Court is large enough in each case, and accordingly in proposing the curtailment of Crown nominations, we have had regard to what I believe is the prevailing feeling. But there is one other point upon which I hope to enlist the support and sympathy of hon. and right hon. Gentlemen opposite. It has been suggested that we might find seats for the purposes

I have indicated by reducing the representation of the General Council and the Senatus. I deprecate the adoption of such a course, and for this reason. Down to, I may say, the day before yesterday, the whole of the reforming movement within the Universities was directed to increasing the representation of the General Council, who, we have always been told, are regarded as representing the general University public. It is only in this Parliamentary discussion that there has been anything urged in favour of this further representation of outside bodies. The Government has yielded to that; but before hon. Members think of cutting down the number of representatives sent by the General Council, I would ask them—Have they settled accounts with those who have hitherto been the University reformers? I have always understood that the desire of the General Council is to have four representatives, and that they will be content if they have the same number as the Senatus. That seems to afford an opportunity of carrying out various arrangements such as those which I believe were suggested by the right hon. Gentleman the Member for Leeds. I have gone thus far for the purpose of showing that the Government have carefully considered the proposition now made, and I trust the Committee will forgive him for having taken this opportunity of making a statement which I hope will greatly facilitate the passing of this clause and of the Bill itself.

MR. CAMPBELL-BANNERMAN (Stirling, &c.): I am anxious at once to recognize in the fullest degree the spirit in which the Lord Advocate has addressed the Committee. All that we complained of on the last occasion was that there was not, as we thought, a sufficient disposition on the part of the Government to make concessions or to recognize the strong feeling that existed as to the necessity for local public control being more or less exercised in the affairs of the Universities. The learned Lord now proposes that there shall be two municipal representatives on the Court of each University. For my part, I cannot say that that is altogether a sufficient representation, but it is an adequate representation for our purpose at present. It is quite possible that in the future some means may be devised for bringing in the opinion in that way, of what I may call the mother county of the University. But my hon. Friend the Member for Aberdeen, and others who have Amendments to that effect on the Paper, will recognize and admit that things are hardly ripe for entrusting to a County Council duties such as these, and I therefore should be disposed to suggest to my hon. Friends that they should be in the main content with the concessions which the Government have made. The right hon. Gentleman proposes to find his municipal representation by taking away one of the Crown nominees, but I think there are a good many of us who would prefer to see the other Crown nominee go by the board likewise, because they are not representatives of outside opinion in the same sense as those representatives sent by elected bodies. The right hon. Gentleman, therefore, will not understand us as accepting the alterations as wholly satisfactory. The Lord Advocate also objected to any diminution of the representation of the General Council, and of the Senatus Academicus. I will not, however, delay the proceedings of the Committee by discussing that matter. I will only express my opinion, and I think it will commend itself to hon. Members behind me, that the manner in which the learned Lord Advocate has met our wishes is for the moment satisfactory, and is as much as we could reasonably expect him to do.

DR. CLARK (Caithness): I have to congratulate the Lord Advocate on the statement he has made, a statement which will make the passage of the clause much easier. But the right hon. Gentleman has adopted the Provost, whereas the opinion of the House has been to drop the Provost and adopt an assessor elected by the Town Council. The Provost is a busy man whose entire time is taken up very often, and we shall not add to the strength of the University Court by placing this *ex officio* member upon it. I should also like to know whether the Government wish to give the Lord Rector, who is often a hack Party politician, a seat himself, and also an assessor. Lord Rectors are appointed for Party and political purposes.

MR. J. P. B. ROBERTSON: If the hon. Member thinks fit to describe the right hon. Gentleman the Member for

Mid Lothian as a hack Party politician his argument applies, because he and many other able men have been Lord Rectors. It has also been found that the representation of the students by this means has had the effect of adding most valuable information to the Court, both in the person of the Lord Rector and of his assessor.

THE CHAIRMAN: I must call the attention of the Committee to the circumstance that the discussion is rather wandering from the immediate subject before the Committee. If the hon. Member for Aberdeen withdraws his Amendment we can go into this question.

*DR. HUNTER: I can hardly withdraw my Amendment at present.

*MR. WALLACE (Edinburgh, E.): I can scarcely express so much satisfaction with the statement of the Lord Advocate.

THE CHAIRMAN: Order, Order! If the Amendment is not withdrawn the discussion must be confined to it.

*MR. WALLACE: I was doing so, but had only got to the first half of the sentence, for I was about to say that what the Lord Advocate said has not convinced me of the desirability of withdrawing the Amendment of the hon. Member for Aberdeen. I think it is desirable to withdraw the assessor of the Chancellor from the University Court. We have had complaints of the large and unwieldy character of the Court, in which I joined, and by withdrawing the Chancellor's assessor we should take one of the most innocent modes of lessening that difficulty, and that withdrawal would also have an important influence in adjusting the balance on these Courts between public opinion and purely academic union. There is too much of the academic element on the University Court. We do not want the popular element necessarily to be predominant, but we know that the tendency of academic bodies is to have a professional bias. With regard to the University of Edinburgh, I do not see why it should continue to have only two representatives of public opinion within the University Court. That University has always been one ahead of the others in this respect, and I do not see why that advantage should be taken away. But in connection with St. Andrew's there is this additional and peculiar reason for sacrificing the Chancellor's assessor, that there the academic element is to be peculiarly prominent, for they are to have no less than three principals of colleges. It seems to me that that is too much, and that it would be well, especially in this case of St. Andrew's, to remove the one academic element which we could most safely abstract from the University Court—namely, the Chancellor's assessor.

*MR. JAMES A. CAMPBELL (Glasgow and Edinburgh Universities): May I remind the Committee that the Bill does not constitute a University Court for the first time, but is only improving a system with which we are already familiar. The Chancellor's assessor has been a member of the Court ever since there has been such a Court—viz., since 1858. It seems most natural that the Chancellor should be represented on the Court by an assessor. He is himself not a member of the Court; and although the highest office-bearer in the University, he is not called upon to take part in the administration of University affairs. It is a mere assumption to say that his assessor would necessarily strengthen the academic as contradistinguished from the popular element in the Court. I may also remind the Committee that the subject has been fully discussed in Scotland for years past by those most interested in urging reforms, and no objection has been raised to the continuance of the Chancellor's assessor as a member of the Court. It would, in my opinion, be undesirable to make changes upon a scheme which had been so carefully considered, and which had been agreed to as a proper compromise by all parties.

MR. BRYCE (Aberdeen, S.): The hon. Member for Glasgow and Aberdeen Universities has told us this is a compromise come to with certain persons in Scotland—I suppose between the Universities and parties representing the reformers in the Universities. But our duty, as Members of this House, is to do what we believe to be best, independent of other influences and without considering whether it is necessary to propitiate particular persons who have any special interest in the matter. I do not think any substantial argument has been used to induce us to believe that the Chancellor's assessor is a very useful member

of the University Court. He was appointed in 1858 as an experiment, and he has sat since then; and I venture to say, with some confidence, the experiment has not been a success. He has not been a very useful member of the Court. He is a person who personally has no connection with the University beyond his functions, which were created in 1858. In the case of the University of Edinburgh he is, as we know, the President of the Court of Session. But he is usually a great nobleman, not particularly versed in University affairs, and there is no reason why in those affairs his opinion should be valuable; in point of fact, he usually leaves such matters to some local and practical gentleman of his acquaintance. I cannot agree with my hon. Friend the Member for East Edinburgh that the Chancellor's assessor represents the academical element. I should think better of him if he did. He does not represent any element at all. But coming back to the latter argument, is the Court already too large? The Lord Advocate said he thought the Court was quite large enough, and many of us are inclined to think it is too large, and that it might be cut down by at least four. The Court will consist of 16, and possibly of 19 or 20 members, a large body for working purposes; it would be a great deal better if the number did not exceed 11 or 12. I feel inclined to support my honourable colleague in striking out the Chancellor's assessor.

*Mr. JAMES STUART (Shoreditch, Hoxton): When the Chancellor's assessor was added to the Court, the difficulty was who to put on, but now the difficulty is, who are we to strike off? We do not strengthen the Court by adding numbers, for it is not likely that any questions will come to a division by a dead vote. You want a compact, workable body. Perhaps one of the principal functions of the Court will be the appointment of professors. I daresay no Gentleman in the House has had a more varied experience in this respect than I have had of elections by large and small bodies. I can give an unqualified opinion, and I say the very best body to make a good choice is a small body who can sit round a table and discuss the merits of a professor whose appointment is under consideration, and the decision then will probably be arrived at without the necessity of coming to a vote. You want a body small enough to feel individual responsibility, and you will not have cliques arising within the body who will make up their minds apart from the general body as to who is to be elected. I am sure those who have had experience will sympathize with the view I take. The size of the University Court, copied, I know, from the preceding Bill, is one of the blots of the present Bill. A Court nunbering 20 is far too large. I would rather have a Court no bigger than the present Court of St. Andrew's, numbering half a dozen. But I see the difficulty of always getting a Court together if it is so small, as well as other difficulties, but still I think a Court of moderate size short, if possible, of a dozen is most desirable. I hope the Government will not regard Amendments in this direction as being in any sense brought forward from a Party point of view. So far as I am concerned, I shall support Amendments as they come on, simply with the view of constituting a workably-sized Court, among the members of which there will be individual responsibility, each member fitted and suited to the functions to be discharged, not overloading a small, well-chosen body with *ex officio* members.

Sir A. CAMPBELL (Renfrew, W.): I cannot support this Amendment. It is admitted that the Chancellor is chosen as a man of ability and high position, and he has given him an assessor to fulfil the duties when the Chancellor is not able himself to be present; and I think the gentleman chosen to the high position of Chancellor of the University would give very serious consideration to the appointment of a person to act as his assessor. I am sure that to strike out the assessor of an independent man such as the Chancellor would be a means of reducing the Court that would seriously militate against its efficiency. I agree that it is desirable the Court should be small, but I cannot support this Amendment.

Mr. D. CRAWFORD (Lanark, N.E.): If the only question before us were the suitability of the assessor of the Chancellor as a member of the Court, I should have considerable difficulty in supporting the Amendment, for I think so long as he is there, there is a good deal to be said for the Chancellor having some

share in the government of the University. On this account, if on no other, I take the view that my hon. Friend might be content to acquiesce in the concession of the Lord Advocate. At the same time, I feel that the Government have not shown themselves alive to the paramount importance of reducing the Court to a reasonable size. It is an overgrown Court, and that is a new feature introduced by the Bill. The effect will be to considerably reduce the individual responsibility of members in the distribution of patronage, and on that account I shall support the Amendment.

*MR. HALDANE (Haddington): As regards assessors appointed by the Chancellor, I must say I do not think experience has shown that they have been appointed with any peculiar bias. I take "Oliver and Boyd's" list, and I find in Glasgow, for instance, that the assessor appointed by the Chancellor is Sir James King, and he, I think, is Lord Provost, and certainly does not represent any improper element. Then I find at St. Andrew's, the Chancellor's representative is the Earl of Elgin, a suitable person to have on the University Court, both from local knowledge and other reasons. At Aberdeen, the assessor of the Chancellor is Mr. Ramsay, a gentleman of whom I have no knowledge. Then at Edinburgh, I find the Chancellor's assessor is Mr. Graham Murray, a distinguished Edinburgh citizen, and a very proper representative to be on the Court. I only mention these names as indicating the class of persons it has been the practice to appoint. I think my hon. Friend might be content with the representative element contained in the Lord Advocate's proposal.

*MR. HUNTER: I am satisfied from the expression of opinion we have had that I ought not to press my Amendment.

Amendment, by leave, withdrawn.

DR. CLARK: The Commission, under Sub-section 12 of Section 14, are to have power to lay down regulations for the constitution and functions of the Students' Council of each University, and to frame regulations under which the Council is entitled to make representation to the University Court. Would it not be better to give the Council direct representation on the University Court?

MR. J. P. B. ROBERTSON: I think, on the whole, it would be more expedient to abstain from making that change. The students have already plenty of electioneering, and I think the sense of the Committee is against the suggestion of the hon. Gentleman.

Amendment proposed, after line 33, to insert—

"(e) The Provost of St. Andrew's for the time being; (f) the Provost of Dundee for the time being."—(*The Lord Advocate.*)

DR. CAMERON (Glasgow, College): A short time ago my hon. Friend below me called attention to the advantages of not nominating the Provost, but of allowing the Town Council to select their own representative. No man is better qualified for a seat on the University Court than the present Lord Provost of Glasgow; and, as a matter of fact, as my hon. and learned Friend has pointed out he has been for some time, and is at present, a Member of the University Court as assessor for the Lord Chancellor. In this instance the Lord Provost is specially qualified, and is already provided with a seat; but, as a rule, would it not be better to allow Town Councils to elect their representative? The Lord Provost in a large town has an immense amount of work to do; he is *ex officio* a member of all the Committees of the Town Council; his work is arduous and important, and he is elected because of his qualifications for the office of Provost, not because of any fitness or taste for matters connected with University administration. But on the Town Council there may be found excellent men who would fill the position of municipal assessor in these University Courts in the best possible manner. Take the case of Dundee. I do not know who the Provost may be, but I will venture to say that it is probable that among the ex-Provosts, or the more leisured class of Town Councillors, you would find a representative at least as well qualified as the Provost, and certainly able to give more time to the duties of the office. As the right hon. Gentleman has said, we have received a certain amount of concession, and I do not propose to do more than throw this out as a suggestion. The Lord Provost

of Glasgow is *ex officio* the occupant of many positions. I have often thought of bringing in a Bill enabling a man to relinquish some of his *ex officio* duties, but it is absurd when a man is encumbered with the duties of a number of offices to thrust upon him another office which might be better filled with more advantage to the University and in accordance with popular representation by an elected assessor.

MR. E. ROBERTSON (Dundee): I am glad my hon. Friend has raised this question; it was a demand made by the Scotch Members on the last occasion. The concession made by the Government to meet our wishes calls for some acknowledgment, and this I make most fairly. On the other hand I think it is a most difficult question to decide whether the municipal representation should be provided by election or whether it should be vested in the highest City officer. On the whole I am inclined to think it is better to have it attached to the office of Provost, for I do not think we can too much magnify the importance and dignity of the Chief Magistrates of these great cities, and these duties will be accepted as honourable and dignified additions to the functions of the office. I am glad my hon. Friend does not propose to spoil the grace of the concession on the present occasion by challenging this principle. There is only one small Amendment which for a special reason I offer for consideration. The Amendment of the right hon. Gentleman refers to the "Provost" of Dundee, and I daresay he anticipates the point I am coming to. The right hon. Gentleman knows that there has been conferred upon Dundee the dignity of a City, and one consequence of this change in its constitution is that the Chief Magistrate has—I do not know whether by the advice or with the consent of the right hon. Gentleman—assumed the style and title of "Lord" Provost. It does not become me, as a Member of the Radical Party, to insist upon the importance of titular distinction, and I do not put it upon this ground; but as the right hon. Gentleman probably knows, there are many people who attribute some importance to these things. I have been advised that the legality, or at all events the propriety of the assumption of the title by the Chief Magistrate of Dundee, will be more or less determined by the style in which he is alluded to in Acts of Parliament. This, I believe, will be the first Act passed since the assumption of the title which, if recognized here, will settle his style and dignity for the future in a manner consonant with the wishes of the people of Dundee. I hope, therefore, the right hon. Gentleman will not object to the insertion of the word "Lord" before Provost of Dundee.

MR. ESSLEMONT: As an ex-Lord Provost and probably the only one in the House, I may be allowed a word or two. It is true, as the hon. Member for Glasgow (Dr. Cameron) has said, many duties attach *ex officio* to the Lord Provost, but I think also that these functions are such as any city would be proud of having vested in its Chief Magistrate. Though the Lord Provost is *ex officio* a member of all the Town Committees, it is not expected that he shall give attention to the details with which the smaller Committees are concerned. There is much to be said in favour of attaching the University Court to the office of Chief Magistrate. We must not look a gift horse in the mouth too closely, but should accept without hesitation this honour the Government has agreed to confer upon the representatives of these University cities.

MR. ANSTRUTHER (St. Andrew's, &c.): I should fail in my duty if, as Member for St. Andrew's, I did not take the opportunity of thanking the Lord Advocate and the Government for having made a graceful concession to the views we advanced on a previous occasion. As to the point raised by the hon. Member for Glasgow, I think it right to state that I have been in communication with the Town Council of St. Andrew's on the point, and the view indicated to me is that it would be more acceptable that there should be a power of appointing an assessor, rather than that the Chief Magistrate should be *ex officio* a member of the University Court. Personally, I have no very strong feeling in the matter. I put down an Amendment on a previous occasion as being the most modest demand I could decently make, but I have no objection to offer to the proposal of the Lord Advocate.

MR. J. P. B. ROBERTSON: I think the Committee is now ready to come to

a decision, and I judge the prevailing view to be in favour of the Amendment as it stands. As to the point raised with good humour by the hon. and learned Member for Dundee, I am afraid I could not take the step he suggests without offending the susceptibilities of the hon. Member who has just sat down as representing the ancient cathedral town of St. Andrew's. I defer so far to the views of the hon. Member for Dundee as to express an opinion that nothing in this enactment will prejudice any claim put forward to the style and title of Lord Provost of Dundee.

*MR. BARCLAY (Forfarshire): I do not agree with the Lord Advocate that it is the opinion of the Committee that the Provost should sit as assessor in the University Court. Our object is not to add to the dignity of the position of Provost of St. Andrews or Dundee, but to constitute the best University Court that can be devised. If either the Lord Provost of Dundee or the Lord Provost of St. Andrews—to give equality of title—are supposed by the Town Council to be the man best qualified to sit in the University Court, then by all means let him be appointed by the Town Council. In the case of Dundee there is this difficulty—that there is a considerable distance to travel to attend the sittings of the University Court at St. Andrews. No doubt, however, if the Lord Provost saw it was compatib e with his other duties to attend, the Town Council would appoint him if specially qualified. But I am strongly of opinion that it should be left to the Town Council to appoint the man whom they think best qualified to act as their assessor.

SIR G. CAMPBELL (Kirkcaldy): I must protest against St. Andrews being called a Cathedral town; we abolished the Cathedral 350 years ago. An ancient city it is, and it has been called by one right hon. Gentleman an ancient and Royal burgh; but I think he must have been thinking of the Golf Club, which is really ancient. As to the question before us, while acknowledging the concession made by the Government, I should myself prefer it in the other form, and this I do considering it particularly in connection with St. Andrews. You want special qualifications for these educational matters. The Lord Provost might be an excellent official, from an administrative point of view, but perhaps not the best choice in other respects for an assessor in the University Court. The function of St. Andrews has become in a great measure the education of schoolmasters. We are to have a certain amount of the lay element in the University Court, and in view of the difficulty we have in getting schoolmasters adapted to modern requirements it is important that you should have in your lay element a strong influence as representing popular requirements, to counteract the tendency to a too academic system in the University. But it is not a matter to fight about. I only express the hope that the right hon. Gentleman will see the propriety of allowing a fair proportion of local popular representation.

Amendment agreed to.

MR. BRYCE: Considering that the Lord Advocate has gone a good way, if not all the way, we desire, it would be rather undesirable I should divide the Committee on the next Amendment, which is to substitute "two" for "four" in line 7. I do propose, however, to divide the Committee on an Amendment lower down relating to the Crown Assessors.

*MR. D. CRAWFORD: I have an Amendment on the Paper to the same effect, but I entirely agree with what has been said by the hon. Gentleman.

*MR. HUNTER: I beg to move the omission of the words "four assessors," in line 34, in order to insert "one assessor." The University Council was an institution invented in the year 1858, before which time the Scotch Universities had no experience of any such institution. The father of that scheme must be conscious that it has been very far indeed from realizing his expectations. I have more than one objection to increasing by a single vote the power of the University Council. In the first place, you do not increase the power of the students. I do not know what is the case in other Universities; but I do know that in the case of the Aberdeen University the only improvements we ever obtained from the University Court were the result of the election of Sir Mountstuart Grant Duff by the University students. I protest very strongly against increasing the power of

the graduates without some corresponding increase in the power of the students. Let me point out how utterly unwieldy and unsatisfactory a body the University Council is for electing persons to the University Court. A single circular sent out in the case of the University Council of Aberdeen, and that is the smallest with the exception of St. Andrews, costs £20; and if there is any dispute as to the appointment of an assessor it is scarcely possible for any member to become a candidate without paying from £70 to £100. The other day I cast my eye over the list of graduates and the members of the University Council of Aberdeen, and I find that two-fifths of them are situated at a distance from Aberdeen, which made it impossible for them to attend the meetings of the University Council. We all know that the attendance at the half-yearly meeting of the University Council is ridiculously small. When the Council was first started it was hailed with great enthusiasm, and I remember the time when 120 were present at a division. I dare say that now you would not get 30 people to go near the place. The graduates are tired of playing at debating society work, and the consequence is that the University Council no longer excites any real interest. The fact is, the Conservatives and the Established Church people send out a Whip on the occasion of an election, and there is a Party fight of the most objectionable kind. In 1872, three or four of us thought we would like to elect a man holding our own views. We wrote to our friends and got up a list of 70 members. We then issued a Circular. The enemy became demoralized and alarmed. They withdrew their men and our candidate was elected. I consider that it is ample and sufficient to have one assessor, and that to increase the number to four is only to aggravate the evils.

Amendment proposed, Clause 5, page 2, line 34, leave out "four," in order to insert "one."—(*Mr. Hunter.*)

Question proposed, "That 'four' stand part of the Clause."

*SIR L. PLAYFAIR: My hon. Friend has advanced an admirable argument why "one" should not be substituted for "four." He states that, under present circumstances, the predominant party of a University always appoint a member to suit them, and he said that the Tories and the clergy in the case of Aberdeen always appointed a member to represent themselves. The object of appointing four assessors to the General Council is that there shall be a distribution of representation, that the Faculty of Medicine, of Law, of Divinity, and of Arts should each have the opportunity of being represented by persons with strong proclivities in the direction of that particular kind of study. I think that "four" will popularize the council very much better than "one," and that "one" will always have the effect of leaving the representation in the hands of the predominant party.

MR. E. ROBERTSON: I do not quite see how the object of the right hon. Gentleman is to be carried out except by the adoption of such an Amendment as is now before the Committee. I am bound to say the hon. Member for Aberdeen (Mr. Hunter) has justified the Amendment on grounds which I suppose may be called general, although they were confined a good deal to the special case of the University of Aberdeen. In the case of the University of St. Andrew's there is a greater need of restriction than in that of any other University. The General Council of St. Andrew's is very large compared with the size of the University. The constituency is widespread, and I should think the proportion of members who attend the meetings is smaller than that attending the meetings of other councils. Indeed, it is a matter of common repute that the General Council of St. Andrew's is very much an instrument of the professors.

SIR G. CAMPBELL: There are two reasons for the acceptance of this Amendment. In the first place, there is a general consensus of opinion that the University Court is too numerous; and, secondly, it is notorious that the constituency of St. Andrew's is composed of medical men scattered all over the world. It is well-known that formerly the medical degrees of St. Andrew's could be bought with the greatest ease. ["Oh, oh!"] I admit that of recent years that has abated. The Representative Council of St. Andrew's is not a satisfactory body. I hope the medical school of Dundee will remedy this defect. In that case we should have a real medical

school in connection with the University of St. Andrew s.

*THE SOLICITOR GENERAL FOR SCOTLAND (Mr. MOIR T. STORMONTH DARLING, Edinburgh and St. Andrew's Universities): I think I should be wanting in my duty to St. Andrew's if I did not meet the observations of the hon. Gentleman. I do not know what may have been the state of matters a great many years ago; but certainly the present medical graduates of St. Andrew's have all undergone a stringent examination. As to the general question, I entreat the Committee to remember the history of this whole matter of University Reform. It originated with the members of the General Council. Their claim to representation has been admitted by successive Governments, and I am glad that the right hon. Member for Leeds has cast the weight of his great authority in favour of the proposal of the Government. The Government of which the right hon. Gentleman was a Member by their Bill of 1885 fixed the representation of the general council at three members, but by the Bill of last year the number was extended to four. The principle of representing them fully has therefore been conceded on both sides of the House, and it would be exceedingly unfair were we now, at the last moment, to turn round and make this alarming reduction.

*MR. CAMPBELL-BANNERMAN: I am sorry to find myself no longer in sympathy with the hon. Member for Aberdeen, and unable to support this Amendment. It is possible that many of the Councils have tended to fall asleep, as many bodies of that sort do; but, taken at their worst, they are a nearer approximation to the representation of popular opinion than anything else within the walls of the University. They are the body from whom this impetus for reform has come, and I think my hon. Friend has hardly realized what the practical effect will be of cutting down the representation of the General Council. I agree with all that has been said as to the Court being too large; but it is not so very easy to alter it now, and if a reduction of the Court is to be made by taking away representatives nominated by the General Council, it will increase immensely on the Court the very party which we think is over represented already. We have the representatives of the Senate, we have the Principal's, the Chancellor's, and the Rector's assessors, —and here I may say I agree with what has been said as to the assessor nominated by the Chancellor—we shall have eleven coming from these sources, and I think we should, therefore, have at least four members coming from the General Council. I cannot support the Amendment.

MR. CALDWELL (Glasgow, St. Rollox): I also am sorry to be obliged to object to the Amendment of the hon. Member for North Aberdeen. It is well known, as to the University of Glasgow, that the General Council are the leading spirits in University reform, and the object of having four assessors nominated by the General Council was to counterbalance the other members. These representatives, it seems to me, are just those most likely to look at matters from a practical, as apart from an academic, point of view.

*MR. HUNTER: If I could have taken the view entertained by the right hon. Gentleman the Member for Leeds (Sir Lyon Playfair) I would not have brought forward the Amendment. I think we have discussed the proposal at sufficient length, and I must say I have not received sufficient support to justify me in carrying the Amendment to a Division.

DR. CLARK: Before this Amendment is withdrawn, I desire to say that, to my mind, the hon. Gentleman the Member for Kirkcaldy has made a most unjustifiable attack on the University of St. Andrew's. I think the graduates of St. Andrew's will bear comparison with those of any other University. There is no necessity for it to pass incompetent men, because where they are limited to 10 they can generally get 20 or 30 students.

SIR G. CAMPBELL: I made no attack on the University of St. Andrew's, but merely on the Medical Faculty. I admit that lately there has been a fair examination for medical degrees; but I say that the people who go to St. Andrew's for these degrees, as a rule, do not belong to the locality.

Amendment, by leave, withdrawn.

Amendment moved, Clause 5, page 2, line 35, leave out "four" and insert "three."—(*The Lord Advocate*).

Question proposed, "That the word 'three' be there inserted."

*Mr. HUNTER: There can be no doubt that this representation of professors is excessive compared with the other members of the Council. I have had a little experience of the government of a College, which has not the advantage of great endowment, but which has rendered distinguished service—I mean the University College of London. The professors of University College used to complain that on their Council, which corresponds with the University Court, there was not a single professor. There was great jealousy in admitting the professors. Ultimately, I believe, they did admit one. Well, I believe that it would be desirable that there should be one member of the Senatus on the University Court for the purpose of communicating the views of the Senatus to the Court, and the views of the Court to the Senatus; but to give these gentlemen a voting power is an entire mistake. It ought to be reduced to a minimum, because the function of the University Court is to control the professoriate. If this form of University Court is adopted in Aberdeen University, for instance—and I am speaking from 25 years' experience of the working of the Court there—the consequences will be most prejudicial to the cause of education and most injurious to the University. I am in favour of one assessor only, and I think they will be well advised if, having abandoned the number four, they reduce it to one.

*Mr. J. A. CAMPBELL: I hope the number will not be reduced beyond three. To do so will be to cripple greatly the Court of St. Andrews for the work which the Bill casts upon it. The measure proposes greatly to increase the responsibility of the Court, and it is, therefore, necessary that there should be upon it a sufficient number of those acquainted with the working of the University.

Dr. CLARK: It is suggested that the number should be "two" instead of "four." When we have taken a division on the present Amendment, it will be competent, I presume, for the Member for Aberdeen to move that "two" be inserted?

The CHAIRMAN: The question is that "three" be inserted. Of course, if that is carried, there is an end of the matter. If, however, it is lost, it will be competent for the hon. Member to move to insert "two."

Dr. CLARK: I would ask my hon. Friend (Mr. Hunter) not to press his suggestion, but to wait for the Amendment of the other Member for Aberdeen (Mr. Bryce) who proposes to substitute "two" for "four."

The CHAIRMAN: The question is that "three" be inserted, and the division must be taken on that.

Dr. CAMERON: I would support the proposal to alter the figure to "two."

The Committee divided:—Ayes 197: Noes 116.—(Division List, No. 159.)

Mr. J. P. B. ROBERTSON: I move the omission from Clause 5, line 36, page 2, of the words "two assessors" in order to insert the words "one assessor."

Mr. BRYCE: My objection to an assessor nominated by the Crown is, first of all, that the Court will be too large, and I should prefer a smaller body of between 7 and 13; and, beyond this, I do not see that anything is to be gained by the appointment of a Crown assessor. It is impossible for the Secretary of State or the Lord Advocate to know who is the best and fittest person, and what is the position in the University Court which applies to any particular individual. The result would, in fact, be simply this—that the Secretary of State would write down to the Commissioners and ask "whom do you appoint as assessors," and the appointment would become a mere act of Crown patronage. The experience we have already had of Crown appointments does not lead us to desire to increase the number even by one, and, consequently, I hope the right hon. and learned Gentleman will see his way to the withdrawal of the proposal altogether.

Mr. J. P. B. ROBERTSON: There is a good deal that may be said in favour of the proposal on the one hand, and on the other there is much that may be said against it; but, as I do not see that it is one that recommends itself to the

feeling of the Committee generally I am prepared to give way upon it.

MR. BUCHANAN (Edinburgh, W): I should like to hear from the Lord Advocate what he is going to do with the corresponding clauses relating to the other Universities? What, for instance, does he propose with regard to the University of Edinburgh?

MR. J. P. B. ROBERTSON: I have no hesitation in saying that my action in this instance will apply to every case.

MR. BUCHANAN: Will the right hon. Gentleman withdraw the proposal for two assessors to be nominated by the Crown upon the Court of the Edinburgh University?

MR. J. P. B. ROBERTSON: Certainly, Sir.

Motion made, and Question put, Clause 5, page 2, line 36, that the words "two assessors nominated by the Crown," be omitted.

Agreed to.

DR. CAMERON: I have to move the omission from lines 37 and 38 of Clause 5, of the words "not exceeding four in all." As the clause stands, in Glasgow, for instance, there will be two new colleges applying for affiliation right off, and we may soon have at Paisley and other places round Glasgow other colleges that will also apply to be affiliated. The right hon. and learned Gentleman the Lord Advocate has very properly proposed to deal in the same way with the Constitution of the Courts in all the Universities, a circumstance that very greatly simplifies the matter, and impels me to move this Amendment in connection with the University of St. Andrew's. The object of the Amendment is this: if the clause is passed as it stands, and a single college is affiliated to the University of Glasgow, the result will be that if that college should get four representatives, other colleges that may be afterwards affiliated will have none. As the Bill was originally drafted, the words I propose to admit, "not exceeding four in all," were not in it, but were inserted afterwards, in order that the representatives of the affiliated colleges might not be so numerous as to swamp the representatives of the Universities on the Council. But this contingency is provided against by a clause inserted in a subsequent part of the Bill, which provides that the representatives of affiliated colleges in the University Courts shall not vote on any question affecting the funds belonging to the Universities—a clause which does away with the necessity for the limitation I propose to remove. If my Amendment be carried it will simply allow a discretion to the University Commissioners or the Committee of Privy Council to regulate the number of representatives, which they would probably do by granting one representative to each affiliated college. The clause as it stands would, in my opinion, militate against one of the most important objects of the Bill—namely, the representation of each of the affiliated colleges.

Amendment proposed, in clause 5, lines 37 and 38, to omit the words, "not to exceed four in all."—(*Dr. Cameron*).

Question proposed, "That the words proposed to be left out stand part of the Question."

*MR. MOIR T. STORMONTH DARLING: I would point out, in reply to the hon. Gentleman who has moved this Amendment, that it has been strongly urged on the Committee that the University Courts ought not to be enlarged, and we have, accordingly, been engaged in endeavouring to reduce them. As this Amendment might have a tendency to increase rather than diminish the number of representatives composing the Court, I do not think we ought to assent to it. At the present moment we are scarcely in a position to say whether four representatives as proposed by the clause would be too many or too few, and it ought to be remembered that the idea of affiliation, as a rule, has reference only to graduation. If it should turn out that the number of colleges desirous of being affiliated should be so large as to require further representation, it will be easy to meet the difficulty by the introduction of a very simple measure. I would, therefore, ask the hon. Member to allow the clause to stand as it is, leaving the point he has suggested as a matter for further consideration if necessary.

*MR. D. CRAWFORD: I think the remarks of my hon. Friend the Member for the College Division have shown that there is a certain amount of ambiguity in this clause which ought to be cleared up by the Government. The hon. Member assumed that

one affiliated college might have the whole of the four representatives provided for in the clause to the exclusion of other colleges that might afterwards be affiliated. I confess that I had read the clause differently, the meaning I attached to it being that there shall be four representatives of four single colleges. If this is not made sufficiently clear in the wording of the clause it ought to be made clear, because, in my opinion, it would be wrong to put it in the power of the Commissioners to give four representatives to any one affiliated college to the exclusion of other colleges which might also be affiliated. For my part, in the interests of the Universities, I object to the Amendment, and hope it will not be pressed, as I think that four representatives of four colleges will, for the present, be ample.

*Sir G. TREVELYAN (Glasgow, Bridgeton Division): I think it evident, from the fact that the Bill proposes to give powers to the Commissioners to make ordinances to extend any of the Universities by affiliating new colleges to them under regulations to be laid down by the Commissioners, that it has been in contemplation of the framers of the measure that there should be more than one representative for each college. For my part, I cannot see the use of the limitation proposed by the clause. It has been suggested by the learned Solicitor General for Scotland that in case of its being found needful fresh legislation might be introduced; but I think that while we are legislating on this subject we ought to do what it is desirable should be done once and for all. Under the 15th Clause it is pretty certain that the Commissioners will give representatives to the affiliated colleges very sparingly; but if a large number of colleges should claim affiliation, I do not see why it should be again necessary to take up the time of Parliament by bringing forward fresh proposals.

Mr. CALDWELL: The object we have in view in this matter is to see that the popular element shall be admitted to the University Courts, and if you were to have one college with three or four representatives, thereby excluding the others, this principle would be entirely upset.

Mr. J. P. B. ROBERTSON: The object of the limitation inserted in the clause was that the University body should not be swamped by the representatives of external interests, and I have no doubt that the University Court, after the expiry of the powers of the Commissioners, will have due regard to the equitable and due proportions of representatives.

Question put, and agreed to.

Mr. BLANE (Armagh, S.): I think there should be some representation of the Catholic minority on this University Board, and I propose that the Roman Catholic Archbishop of Glasgow should have a seat upon it. If he had a seat upon the Court it would be giving a representation to one-sixteenth of the whole. I ask you to be as tolerant of the Catholics in Scotland as the Catholics of Ireland are tolerant of the Presbyterians.

Amendment proposed, Clause 5, page 3, after line 7, insert, "The Roman Catholic Archbishop of Glasgow for the time being.'"—(*Mr. Blane.*)

Question proposed, "That those words be there inserted."

Mr. J. P. B. ROBERTSON: I have no doubt that the distinguished Prelate named would be well acquainted with educational subjects, and would be a useful member of an educational governing body. At the same time, the hon. Gentleman will see that I could not accept this Amendment without finding seats for other and larger religious communities of the country.

Mr. BLANE: The argument of the right hon. Gentleman is entirely weak. He puts a theological test in the Bill, and then puts it forward as an argument against our representation. And this theological test is so absurd that they claim the divine right of private judgment.

Mr. WALLACE: I am prepared to do my best to destroy anything in the nature of a theological test in the Bill. But whatever theological test may be in the Bill, there is none for membership of the University Court, and that is the point of the Bill which is at present under discussion. I think the difficulty which the Lord Advocate put is really unanswerable, and it seems to me insurmountable. If we were to give a seat to one particular religious connection, we could give nothing less to every religious denomination in

Scotland. There are, I think, as nearly as possible 57 separate religious denominations in Scotland. I shall be exceedingly glad to do all I can to assist my hon. Friend in expelling anything in the nature of theological intolerance or theological tests from this Bill, and I trust we shall have his valuable assistance on that occasion. At the present moment, and in the present connection, I do not see how it is possible, on practical grounds, to assist him in this matter.

DR. CAMERON: May I ask the hon. Gentleman not to press this matter to a division. I have known the Archbishop of Glasgow for a great number of years, and I am sure every Colleague of mine in this House will bear me out in saying that there is not in Glasgow a man who is more widely beloved and respected than its present Archbishop. He is a scholarly man, and one whom it is very desirable to have on the University Court. But, of course, Scotchmen are required to vote in accordance with principle, and I would rather not see the Amendment pressed to a division, because, in voting against it, our votes might bear a personal construction, which, I am certain, none of us would like put upon it. I am sure the Archbishop has only to express a personal wish, and by popular election he would certainly be returned a member of the University Court.

MR. BLANE: In consequence of the appeal made to me by the Scotch Members, who ought to know their own business best, I shall withdraw this Amendment. The reason I brought if forward was that I wish the same tolerance to be shown to Catholics in Scotland as the Catholics in Ireland show towards Dissenters in Ireland. It was on that ground I brought the Amendment forward, though I find it is not very generally accepted.

Amendment, by leave, withdrawn.

MR. CALDWELL: I wish to move an Amendment to apply the same principle to the College of St. Mungo in Glasgow as has been applied in the case of the University College of Dundee, and that the College of St. Mungo shall be affiliated and made to form part of the University. When this Bill passed through the House of Lords, the St. Mungo College had not been incorporated. Since the Bill passed through the Lords, St. Mungo College has been incorporated. It has a thoroughly equipped medical school, far superior to anything possessed by Dundee, which is in relation with the Royal Infirmary of Glasgow the largest hospital in Scotland. It affords opportunities for practising surgery, and in addition the students of St. Mungo's are qualified for practising medicine.

Amendment proposed, Clause 5, page 3, line 3, after "principal," insert the words—

"At present in existence in the University, the Principal of St. Mungo's College, if and when the said College shall be affiliated to form part of the University."—(*Mr. Caldwell.*)

Question proposed, "That these words be there inserted."

MR. J. P. B. ROBERTSON: Anyone acquainted with the relative positions of St. Andrew's and Glasgow Universities, knows that St. Andrew's is to a large extent associated with the University College of Dundee. In the case of Glasgow that is not so. It is absolutely impossible to single out cases of this kind, and to confer representation. There is really no precedent in the case of Dundee for the proposal of the hon. Member.

DR. CLARK: I think it is a great mistake to have a number of principals, and you would be still further increasing the number by agreeing to this Amendment.

Question put and negatived.

DR. CAMERON: I would point out to the Committee that Clause 5 would have the effect of turning out of the University Court a very capable member of it. Sir James King, the present Lord Provost of Glasgow, has been a member of the University Court for a very long time. If you pass the Bill as it stands, instead of having a permanent seat as assessor for the Lord Chancellor, he will have a temporary seat as Lord Provost of Glasgow, and when his period of office expires, he will go out, and you will thus lose one of the ablest and most assiduous member of the University Court. Would it not be much better at once to let the Lord Povost and Town Councillors select their own man? If you wanted an illustration, you could not have a better one than

where the Lord Provost is at present the Lord Chancellor's assessor, and where you disfranchise him if you pass the Bill as it stands.

Amendment proposed, Clause 5, page 3, line 4, leave out "the Lord Provost of Glasgow for the time being," and insert—

"An assessor nominated by the Lord Provost, Magistrates, and Town Council of Glasgow."—(*Dr. Cameron.*)

Question proposed, "That the words proposed to be left out stand part of the clause."

MR. CALDWELL: I think this question should be determined without reference to the present holder of the office. Let us look at what would be the result. If the Town Council exercised the right of appointing their assessor, you would have an assessor sitting practically for a lifetime. The appointment would be renewed, and you would have the University Court occupied by a body of men who had life appointments. In the case of the Lord Provost, he would retire every three years, and you would in that way have the advantage of a change of Lord Provosts. I think it would be a great advantage that those who represent the Town Council should be popularly elected and liable to change. Another point is that it would give a status to the position of the Lord Provost, and would interest him in University matters, because he would be compelled personally to take part in a great many of those important functions which are performed by the Universities, and he might exercise more influential action on questions of reform than a mere assessor appointed from time to time.

*MR. BARCLAY: Of course, if the assessor prove satisfactory to the Town Council, he will very probably be continued in office. If you tie him down to the Lord Provost for the time being, there would be considerable difficulty in the way of having a satisfactory assessor, representative of the town of Glasgow and the University Court. The object is to secure the best man qualified to represent the city and the University Court. I have no doubt whatever that the Town Council would elect the Lord Provost for the time being, if they thought he was the more suitable person; but if there were some other person pre-eminently qualified for office, they would not hesitate to go outside the Town Council to appoint him. If this were a purely ornamental office and no duties attached, then by all means let the Lord Provost be selected. But the office has duties attached to it in connection with the administration of the affairs of the University, and I am very sure that the position of the representation will be improved by having an assessor elected by the Town Council and not fixing it upon the head officer.

DR. CLARK: I do not think you should tie the hands of the Town Council, and limit them to their Provost, for there might be those outside who took great interest in the matter, like the hon. Gentleman now Member for the University. I think it would be a great mistake to make a General *ex officio* member.

MR. J. A. CAMPBELL: I hope the Committee will have no difficulty in disposing of this Amendment. I would remind them of what they have already done. They have deliberately given a place on the Court of St. Andrew's University to the Provost of St. Andrew's, and now there is actually hesitation on the part of some hon. Members about placing the Lord Provost of Glasgow on the University Court of Glasgow University. Surely hon. Members must have forgotten what was done in the case of St. Andrew's, when they object to the Lord Provost of Glasgow being placed upon the Glasgow Court.

Question put, and agreed to.

Further Amendment proposed, Clause 5, page 3, line 6, insert, "Assessor appointed by the Lord Provost, Magistrates, and Town Council of Glasgow." (*The Lord Advocate.*)

Amendment agreed to.

DR. CLARK: There is another body which I think is equally entitled to representation in the University Court, and that is the School Board. I think we cannot introduce too much of the popular element into the close academic ring. I therefore propose to enable the School Board to nominate an assessor.

Amendment proposed, same clause, after word "Glasgow," insert "An assessor nominated by the School Board of Glasgow."

MR. J. P. B. ROBERTSON: I do not see how it is possible thus to give recognition to all these bodies. It is easy to support these proposals by plausible considerations, but we really must draw a line somewhere. I think on the whole the Committee is well satisfied with the composition of the Court.

MR. ESSLEMONT: There is another consideration to be borne in mind. In Glasgow and Edinburgh you give an assessor as well as the Provost a seat on the University Court, but you give nothing to the counties. I think more consideration should be shown for the County Councils than for the School Boards. You have already got popular representation in the Courts.

Amendment, by leave, withdrawn.

Amendment proposed, Clause 5, page 3, line 9, leave out "two" and insert "one."—(*The Lord Advocate.*)

Amendment agreed to.

Amendment proposed, Clause 5, page 3, lines 10 and 11, leave out "not exceeding four in all."—(*Dr. Cameron.*)

Amendment agreed to.

Amendment proposed in Clause 5, page 3, line 19, insert "Two assessors nominated by the Lord Provost, Magistrates, and Town Council of Aberdeen." (*Mr. Bryce.*)

MR. BRYCE: I think it would be worse to appoint two Assessors instead of one as proposed by the Bill, considering the extent of the University work in Aberdeen, but considering the way in which our advances have been met, and the kind of the compromise arrived at. I do not propose to persevere with the Amendment.

Amendment, by leave, withdrawn.

*MR. WALLACE: In the next Amendment, which stands in my name, I had proposed to insert three assessors, instead of one assessor, but, after what occurred to-day, I shall confine my proposition to the insertion of two assessors, and I shall be curious to hear the reasoning by which the Lord Advocate intends to justify the change of principle on which he is dealing with the University of Edinburgh. That city, for reasons already explained, has held a somewhat exceptional position on account of the history of the municipality in connection with University education, and that position it was proposed to recognize by giving the municipality of Edinburgh an additional element of representation over and above that given in the other municipalities in which Universities are situated. But under the present proposal of the Government it is proposed to place Edinburgh on exactly the same footing as the other University towns and cities. I want to know why that distinction is to be withdrawn from Edinburgh, for the facts are precisely the same now as they were two nights ago when the Solicitor General for Scotland spoke of the claims of Edinburgh to exceptional treatment. I intend, certainly, to take a division on this question if the Government do not give us a reasonable concession.

Amendment proposed, in Clause 5, page 3, line 33, to leave out the words "an assessor," and insert the words "two assessors."—(*Mr. Wallace.*)

Question proposed, "That the words 'an assessor' stand part of the Clause."

*MR. MOIR T. STORMONTH DARLING: I shall certainly not unsay anything I said the other night in praise of the historical conduct of the Edinburgh Council towards the University. The point now raised is one mainly of dignity, and the hon. Member has not shown how the Edinburgh Town Council is in the least degree prejudiced by the Government proposal to give to other University towns a similar representation to that enjoyed by Edinburgh. I think the municipality of Edinburgh would be the last body in the world to grudge such a grant, simply because it has been made to another Council. I fail to see how the Government proposal destroys the distinctive position of the Town Council of Edinburgh. Under this Bill it will still retain an exceptional advantage over all other Town Councils in Scotland because we propose to retain the Curatorial Court, which does not exist in any other University, and upon which the Town Council of Edinburgh is very largely represented.

*MR. BUCHANAN: I do not think that the learned Solicitor General quite appreciates the argument of my hon. Friend. Undoubtedly there is a representation of Edinburgh City on the

governing body of the University, but it is a diminished representation. At present the city representatives on the Court are two out of eight; on the new Court under the Bill they will be two out of sixteen. I hope the Lord Advocate will see fit to restore Edinburgh to the position which it formerly occupied.

MR. CALDWELL: Allow me to point out that we have throughout accepted in this Bill the principle of uniformity, and I do not see why Edinburgh should be treated differently from Glasgow in this matter. The people of Edinburgh of to-day have not done more for their University than have the present population of Glasgow dono for theirs. If the Government concede the demand now made on behalf of the Edinburgh Town Council, I give them notice that, on Report, we shall ask them to make a similar concession to Glasgow.

MR. WALLACE: I must say that the argument of the Solicitor General seems to me simply to advance the arithmetical paradox that there is no difference between one and nothing, and to a body which formerly had one more representative than its neighbours, is exactly in the same position when it is going to have no more. I confess that the subtlety of that reasoning is utterly beyond my grasp. The hon. and learned Gentleman stands by his historical statement, but he does not stand by the inference which he drew from it. This is not a mere matter of dignity. The claim is advanced on behalf of Edinburgh on the ground of its history and its proved utility and educational traditions, and we want to maintain on the Court the efficiency in that respect of the Edinburgh municipality. I think the hon. and learned Gentleman will have very great difficulty indeed in satisfying his academical constituency that he merits their confidence in the treatment which he is applying to this matter.

The Committee divided:—Ayes 109; Noes 61.—(Div. List, No. 160.)

*MR. J. B. BALFOUR (Clackmannan, &c.): The Committee will observe that after the word "of," in line 23, I propose to insert "St. Andrew's." Provision is made as to the first election of assessors in the case of the Edinburgh and Glasgow and Aberdeen Universities. Whether by mistake or otherwise St. Andrew's is omitted.

Amendment proposed, Clause 5, page 4, line 23 after "of" insert "St. Andrew's."

*MR. M. T. S. DARLING: It is certainly not by mistake that St. Andrew's has been omitted. If the hon. and learned Gentleman will look at Clause 16 he will see that provision is distinctly made for the first election at St. Andrew's. The object we have in view is that the election at St. Andrew's shall not take place until after the affiliation of Dundee.

*MR. J. B. BALFOUR: Will the result be that in the event of affiliation never taking place there will be no election? The simplest way would be to put St. Andrew's on the same footing as the other Universities. The affiliation is not a certainty.

MR. J. P. B. ROBERTSON: If my hon. and learned Friend will look at the notices of Amendments to Clause 16, he will find I propose to move the insertion of the words—

"and, in the event of such affiliation not taking place within such time after the passing of this Act as the Commissioners shall consider reasonable, they may regulate the time, place, and manner of such election as seems to them best."

*MR. J. B. BALFOUR: The Amendment of the hon. and learned Gentleman may meet the case, and, therefore, I will not press mine.

Amendment, by leave, withdrawn.

*MR. J. A. CAMPBELL: I beg to move the Amendment which stands in my name. The object of this and the consequential Amendment is to make this part of the Bill clearer. The paragraph under consideration treats in its first lines of the assessors of General Council and the assessors of Senatus, but the latter part of the paragraph refers to the assessors of General Council only. My Amendments would make this paragraph deal from the beginning with the council assessors only, and would introduce a separate paragraph for the assessors of the Senatus.

Amendment proposed, in page 4, lines 27 and 28, to leave out "and the assessor of the Senatus Academicus."—(*Mr. J. A. Campbell.*)

Question, "That these words stand part of the Clause," put, and agreed to.

Amendment proposed, page 4, line 29, leave out "respectively."—(*Mr. J. A. Campbell.*)

Question, "That 'respectively' stand part of the Clause," put, and negatived.

*SIR L. PLAYFAIR: The next Amendment, and a number of consequential Amendments, have been framed to provide for the election of two assessors every two years, instead of there being an election of one every year. The reason for the change is twofold: firstly, that it is a very costly thing to send out a circular to 6,000 members, as in the case of the Edinburgh University; and, secondly, that the electing of one assessor every year gives a predominant interest to a particular class. If the theological interest predominates, and one assessor is to be appointed, it is very likely the assessor will be appointed by that interest; if the medical interest predominates, the assessor will very likely be returned by that interest; whereas, if you have two assessors elected every two years, you are likely to have the different interests represented by the University obtaining one representative of each. I think that academically and economically this Amendment is desirable; its adoption would certainly simplify the working of the clause.

Amendment proposed, page 4, line 29, leave out "four," and insert "two."—(*Sir L. Playfair.*)

Question proposed, "That 'four' stands part of the Clause."

MR. CALDWELL: It is very desirable we should have an appointment every two years, but it is not necessary that the members so appointed should retain office only for two years, which this Amendment practically provides.

*SIR L. PLAYFAIR: The hon. Member does not quite understand the meaning of the Amendment. All the members will ultimately remain for four years, but two will go out at a time.

Question put, and negatived.

Question, "That 'two' be there inserted," put, and agreed to.

Consequential Amendments made.

*SIR G. TREVELYAN: I propose to insert after the words last inserted—

"No member of the Senatus Academicus shall be entitled to vote or take part in the election of any assessor of the General Council."

There is a considerable feeling among a good number of members who take an interest in this question, that the Senatus Academicus have got to the very full their share of representation, Is it agreed?

MR. J. P. B. ROBERTSON signified assent.

Amendment proposed, page 4, after the words last inserted, insert—

"No Member of the Senatus Academicus shall be entitled to vote or take part in the election of any assessor of the General Council."—(*Sir G. Trevelyan.*)

Question, "That those words be there inserted," put and agreed to.

Amendment proposed, page 4, line 40, after "retired," insert—

"The assessor of the Senatus Academicus of each University in office at the passing of this Act shall continue in office for such period not exceeding four years in all from the date of his election as the Commissioners shall appoint; and the Commissioners shall regulate the period for which the three new assessors to be appointed by the Senatus Academicus of each University shall hold office, so as to provide in future for a regular system of rotation, and, in the event of a casual vacancy, the person elected to fill such vacancy shall go out of office at the date when the person whom he succeeded would, in the ordinary rotation, have retired."—(*Mr. J. A. Campbell.*)

Question, "That those words be there inserted," put and agreed to.

DR. CLARK: I would ask the right hon. Gentleman how he intends to empower the Town Councils to elect. The Edinburgh Council does it under an old Act, but the Town Councils of Glasgow, Aberdeen, St. Andrew's, and Dundee, only acquire the right to send a representative under this Bill, and that only since we amended the measure, as, prior to the Amendment, only the Edinburgh Council had the power. I want to know if it is necessary to insert anything in the Bill to define the mode of election?

MR. J. P. B. ROBERTSON: No. The right is conferred by the Bill, and the Town Councils can effectuate it by proceeding to the election according to their constitutional right.

Amendment proposed, Clause 5, page 5, line 2, after "Act," insert—

"Whether the title to such property has been taken in name of the University or such college, or in name of any person or persons in trust for or on behalf of the University or such college."—(*Mr. Baird.*)

Question, "That those words be there inserted," put, and agreed to.

Another Amendment agreed to, Clause 5, page 5, line 16, after "constituted," insert—

"And shall, while so continuing in office, exercise the powers conferred on University Courts by 'The Universities (Scotland) Act, 1858,' but shall not exercise any of the additional powers conferred on University Courts by this Act, except the power of consenting to the affiliation of the new college."—(*The Lord Advocate.*)

MR. BRYCE: I beg to move, in line 17, to leave out from "and in" to "senior principal," in line 18 inclusive. The Amendment only relates to a small point, but it may turn out of practical utility. Clause 5 provides that the President of the Court shall be the Rector when he is present, or in case he is absent the senior principal, and I think it is open to doubt whether it is advisable to give the senior principal this *ex officio* part, as a great deal of the good working in a Court may depend upon having as President a man who has a talent for chairmanship, which talent the senior principal may not possess. If the Amendment is accepted, I propose to move words, in line 3, to provide for the absence of the Rector—that is to say, to empower the chairman to elect as chairman the person he might think most fit for the post.

Amendment moved, Clause 5, page 5, line 17, leave out from "and in" to "senior principal," in line 18 inclusive. —(*Mr. Bryce.*)

Question proposed, "That the words proposed to be left out stand part of the Clause."

MR. J. P. B. ROBERTSON: In this clause we only carry forward into the new constitution the practice at present regulating the office of chairman. I should deprecate doing anything to displace the order and precedence of these University dignitaries, and I rather think it would be a derogation of the authority and position of senior principal if he were to lose the right he at present possesses of acting as chairman in the absence of the Rector. I do not think the matter is of much importance, but my preference would be for holding to the present practice.

*MR. HUNTER: If it is not intended to accept the Amendment I have lower down on the Paper, as to the casting vote of the chairman, I think it would be an advantage to accept the Amendment.

MR. BRYCE: It is not worth while putting the Committee to the trouble of dividing.

Amendment, by leave, withdrawn.

Amendment agreed to, Clause 5, page 5, lines 17 and 18, leave out, "or in the case of St. Andrew's University the senior principal."—(*The Lord Advocate.*)

*MR. HUNTER: I beg to move to leave out in line 21, "the person presiding," to end of the sentence. It seems to me much better in cases where there are equal votes on each side that the question should be decided in the negative, according to the practice of this House and the House of Lords, or, at any rate, that the question should be disposed of another time. The casting vote was introduced originally because the number of the Court was extremely small. In the case of Aberdeen, the Court only numbered six, and it frequently happened that there were only four members present, and it was only natural to expect that the voting would often be equal. If there had not been a provision for a casting vote it might have been difficult to make progress with business. The conditions, however, are now to be changed. The Court will consist of from 14 to 16 members, and the occasions in which the voting will be equal is not likely to be frequent. It, therefore, seems to me that in the event of the votes being equal, the proposition should drop.

*MR. M. T. S. DARLING: The absence of a casting vote might delay the appointment of examiners. I do not think, under the altered circumstances, it is likely that there will often be equal voting; but, at the same time, I think it worth while to make provision for such a contingency.

Amendment, by leave, withdrawn.

Amendment proposed—

In Clause 5, page 5, line 23, after "equality," add—"In St. Andrew's University the principal of the United College of St. Salvator and St. Leonard shall, in addition to his office as such,

possess the title and status and discharge the functions of principal of the said University, but without any claim to additional salary in that capacity."—(*The Lord Advocate.*)

Question proposed, "That those words be there added."

MR. MUNRO FERGUSON (Leith, &c.): I think that so small a point as this might well be left to the decision of the Commission to be appointed under the Bill.

MR. E. ROBERTSON: Does the hon. Member take exception to the whole of the Amendment, or only to the last line?

MR. MUNRO FERGUSON: That is all.

MR. E. ROBERTSON: If that is all I must express my entire concurrence in the proposal.

MR. J. P. B. ROBERTSON: I am prepared to modify the last part of the Amendment by leaving out "but without any claim to additional salary in that capacity."

Amendment moved to the proposed Amendment to omit the words "but without any claim to additional salary in that capacity."—(*The Lord Advocate.*)

Question, "That the words proposed to be left out stand part of the Amendment," put, and negatived.

Clause 5, as amended, agreed to.

Clause 6.

Amendment moved, Clause 6, page 5, line 29, leave out "if any."—(*Mr. Baird.*)

Question proposed, "That the words proposed to be left out stand part of the Clause."

MR. J. P. B. ROBERTSON: I cannot accept this Amendment, the words objected to being designed to meet the plural.

Question, "That the words proposed to be left out stand part of the Clause," put, and agreed to.

*SIR G. TREVELYAN: The next Amendment which stands in my name is one which I think would be acceptable to St. Andrew's University and all the colleges of it. It is to omit the proviso which would prevent a member of a University Court who represents an affiliated college (excepting University College, Dundee), from sitting and voting while the Court is engaged in the administration of funds or property, for the purpose of inserting a sub-section to provide that the Court shall have power to review any decision of the governing body of a college in a matter appealed against by any member of the University interested. The Amendment would, I think, effect what is desired by a great many members of the Glasgow University. An hon. Member opposite (Mr. Baird) has an Amendment to which I should heartily agree in case this Amendment is lost. The clause is most unfortunately worded, because it appears that an affiliated University would not be able to deal with University funds or property. Any affiliated college ought to have the same power over the University property as the permanent colleges. The question is how the blot should be remedied—whether by leaving out the last part of the clause or by adopting the Amendment of the hon. Gentleman the Member for the Central Division of Glasgow. I cannot help thinking that either one thing or the other must be done.

Amendment moved, Clause 6, page 5, line 46, after "property," leave out to end of sub-section, and insert the following sub-section:—

"(2) To review any decision of the governing body of any college on a matter within its competency which may be appealed against by a member of such governing body, or other member of the University having an interest in the decision."—(*Sir G. Trevelyan.*)

Question proposed, "That the words proposed to be left out stand part of the Clause."

MR. J. P. B. ROBERTSON: The point raised by the right hon. Gentleman deserves attention, because the whole object of the clause as it now stands is to preclude the representatives of affiliated colleges from interfering with property which is invested in the University as a whole. I think, however, that my hon. Friend the Member for the Central Division of Glasgow has adopted in his Amendment on the same point the best method of effecting that object. The words used by the right hon. Gentleman go beyond the object we are all interested in attaining.

MR. E. ROBERTSON: I would suggest that we should make no restrictions at all as to the subjects on which the affiliated colleges shall go to the University Court. The whole matter

should be left to be dealt with by a subsequent clause. Indeed the decision of this matter should be transferred from the House of Commons to the Commissioners.

*Mr. J. B. BALFOUR: I think it would simplify the matter if the course were adopted of leaving out everthing after the word "property" in line 36, because the proviso which begins in the middle of that line is really a limitation of the general powers conferred by Subsection 4 of Section 15. The object I had in moving the Amendment would be entirely met if the whole of the proviso were left out. When you read Sections 15 and 16 together, Section 15 says there is to be a sort of reciprocal representation between the affiliated colleges and the University; then as a rider on that, there is a power conferred on the Commissioners and withdrawn from the cognizance of the representatives—it may be of the University or of the affiliated colleges—particular subjects; but then there comes in again the proviso that this power shall not extend to particular cases. And as an exception from the exception, so to speak, there comes in the one I object to in particular, which relates to the case of Dundee. I agree that difficulties might arise and prove serious between two bodies which I am sure we all desire to bring together, and the risk of such difficulties would be removed if this proviso were left out. The Commissioners under Section 14 would have before them, and be free to act upon, all the reasons which could be urged on the one side or the other, whereas, as the clause stands, it would have an adverse effect on St. Andrew's, which would in this respect be made an exception from the general system of Scotch Universities.

Mr. J. P. B. ROBERTSON: The limitation which occurs in that part of the Bill, arises, has arisen from the anxiety which exists to deal with the case of the relations between Dundee and St. Andrew's so as to prevent anything occurring which might mar the equity of the Union. The right hon. Gentleman proposes a solution of the difficulty which will meet the case, and I am prepared to strike out the proviso, for I think what he proposes, leaving the matter to the discretion of the Commissioners, would be satisfactory.

Mr. E. ROBERTSON: As consequential upon what the right hon. Gentleman says, we should leave out Sub-section 4 of Clause 15.

Mr. J. P. B. ROBERTSON: Yes; that is so.

Dr. FARQUHARSON: I have an Amendment down in the same sense, but I have no doubt the concession of the Lord Advocate will meet the necessity of the case.

Question, "That the words proposed to be left out stand part of the Clause," put, and negatived.

*Sir G. TREVELYAN: Having struck out those words, I now move the insertion of the words on the Paper. It is a question whether the University Court should not be a Court of Appeal against the governing bodies of the colleges. There ought to be some Court of Appeal, but I do not wish to press the proposal if it is against the general feeling of the Committee.

Mr. J. P. B. ROBERTSON: I think the proposal of the right hon. Baronet is premature until the consolidation of the affiliated colleges is established. My impression is that the idea the right hon. Gentleman has in his mind applies to some other Amendment on the Paper.

Question, "That those words be there inserted," put, and negatived.

*Mr. J. A. CAMPBELL: I desire to move, in page 6, line 12, after "sub-section 1" to insert,

"Provided always that the University Court shall not review any decision of the Senatus Academicus in a matter of discipline, except upon appeal taken either by a member of the Senatus or by a member of the University directly affected by such decision."

The object of this is to provide that the University Court, while having power to review the decisions of the Senatus on other points, shall not do so on matters of discipline, unless upon appeal.

Amendment moved, Clause 6, page 6, line 12, after "sub-section 1," insert—

"Provided always that the University Court shall not review any decision of the Senatus Academicus in a matter of discipline, except upon appeal taken either by a member of the Senatus or by a member of the University directly affected by such decision."—(*Mr. J. Campbell.*)

Question, "That those words be there inserted," put, and agreed to.

*MR. WALLACE: I move, in page 6, line 15, after "recognition," to insert, "subject to such regulations as it may consider proper." The object of this Amendment is to enable the University Court to make regulations with regard to extra-mural teaching for the purposes of graduation. My reasons for thinking that would be a proper modification of the spirit of the Bill, are, first of all, that in the matter of extra-mural teaching, it is one that will require regulation from time to time; and I do not think it would be wise to accept merely such regulations and conditions as may seem proper to the Commissioners at the time when they take this subject into consideration. I think it is a matter which is too flexible, too much subject to having the propriety of it determined by varying circumstances which may from time to time arise to be subjected to an immutable set of regulations such as the Bill proposes. I do not think anything could be better understood at the University Court as now constituted than a matter of this kind. If the Court is not competent to judge what ought to be done on a subject of this nature then we have very unsuccessfully provided the Court with a constitution. I would trust this power into the hands of the University Court, because I think they have interests which are entitled to be regarded. Subsequently I shall propose to subject them to conditions which would prevent them from going to excess in the way of safeguarding their own interests. This subject of extra-mural teaching cannot fail to be one on which the University Court are at present not likely to go too far in the view of those who have Conservative ideas on this matter. It will be to the interest of the University Court to see that nothing is done in that way that will interfere with a source from which they are to derive the funds for the support of the University. They will not be inclined to go too far in the way of diminishing the amount of fees that are to be drawn by the professional classes, nor will they be forgetful of the position of the different chairs. While that is so it is necessary on the other hand so to arrange matters that the University Court shall not be under too great a temptation, or rather will not be too much left at liberty to consult their Conservative instincts. I am therefore making this proposal with the distinct view that by-and-by the academic tendency, if I may so call it—the tendency to be too exclusively academic in arrangements of that kind—shall be guarded against. The Court will have power under this subsequent Amendment to give all graduates of a certain standing power of extra-mural teaching to qualify for degrees under regulations to be made by the Court itself. I desire to throw open degrees, so to speak, to all the world, or to the whole Scotch world, under certain regulations to be laid down by the Commissioners.

Amendment moved, Clause 6, page 6, line 15, after "recognition," insert "subject to such regulations as it may consider proper."—(*Mr. Wallace.*)

Question proposed, "That those words be there inserted."

*SIR G. TREVELYAN: I do not yield to the hon. Member in the earnestness and warmth of any desire to break up what I cannot but regard as the extraordinary, and unprecedented, and unparalleled monopoly of official teaching at the Scotch Universities, and of introducing the freest extra-mural teaching, but it is for that reason that I venture strongly to dissent from his present view. I think it would be a most unfortunate thing—if we are to have a practical reconstruction of the teaching of the Scotch Universities—and that is the main object of this Bill—should we allow the initiative in this matter to the University Court. We have been discussing the University Court for a good while, and it is evident that many hon. Members have a great doubt as to what the political bearings of the Court will be—and I use the word "political" in regard to University politics entirely. Now, my interest in this Bill and that of the Scotch people consists in this, that we look to it to break up the existing state of things in the Scotch Universities as far as that state of things requires radical reformation. The intention of Parliament is laid down as clearly in this clause as was ever done in any clause of a Bill, and if that intention is not carried out, the Bill will be a failure. Parliament will nominate a Commission, and though that Commission may not

be such as ardent University reformers in Scotland might desire, at any rate it will be a Commission to carry out the wish of Parliament as embodied in the Bill, and in no part of the Bill more than in this clause. I would appeal to hon. Members inclined to support this Amendment to hesitate before they do so from a University reform point of view. Of course it is extremely important that the power of extending extra-mural teaching should not cease with the life of the Commission. In one way or another we think that that power ought to be prolonged, and on that point I should not be disinclined to support my hon. Friend if he proposed that after the expiration of the Commission the University Court should be the authority on this matter; but I have an Amendment on the Paper by which, on the expiry of the Commissioners' powers, it is provided that those powers shall be taken up by the University Committee. On the whole, I prefer my Amendment to that of my hon. Friend's. I should regard with something little less than dismay the proposal to transfer the powers of the Commissioners—a body of gentlemen who know that their charter of appointment requires them to carry out the intentions of Parliament—to a body elected in the manner the University Court is to be elected.

MR. J. P. B. ROBERTSON: The right hon. Baronet (Sir G. Trevelyan) has, I think, substantial ground for arguing that there should be a continuance, in some manner or other, of the powers of regulation that are to be vested in the Commissioners. It is manifest that, after the expiry of the Commission, there might arise questions which ought to be determined by the exercise of powers similar to those of that body; but I doubt whether, looking to the composition of the Universities Commission, that will be an appropriate body for the discharge of executive functions. The better way would be that the Commissioners should be the ultimate judges in the matter. The question is not one of principle, but rather of detail.

*SIR G. TREVELYAN: The question is whether the University Court or the Commissioners should be supreme, and when I come to my Amendment I shall explain it in such a way as, I think, will render it acceptable to the right hon. and learned Gentleman.

MR. J. P. B. ROBERTSON: I quite agree that there should be carried forward the power of adjusting the conditions under which recognition should be granted as to teaching for the purposes of graduation, but beyond this I do not think it would be convenient to proceed.

*MR. D. CRAWFORD: I do not think sufficient attention has been given to the provisions of Section 20, which seem to go a considerable way in the direction of the Amendment, and to lay down a clear line of policy. Section 20 says—

> "After the expiration of the powers of the Commissioners the University Court of each University shall have power to make such ordinances as they may think fit, with the consent of the Chancellor signified in writing, and the approval of hon. Members in Council. . . . altering or revoking any of the ordinances affecting such University."

It is obvious that under Clause 6, Subsection 4, it will be the duty of the Commissioners to frame some ordinances on the subject of the teaching of any college or teacher, and after the expiration of the powers of the Commissioners it will be the function of the University Court to deal with these ordinances, subject to the supervision of the University Committee; and I submit that that is exactly the proper line to take, but it may be necessary somewhat to expand the phraseology of Sub-section 2 of Section 20.

*MR. HUNTER: I think that on reading the clause carefully the Committee will see that the first two lines give an absolute power to the University Court to recognize "the teaching of any college or individual teacher for the purposes of graduation." If the clause stopped at these words it would give an absolute and unlimited discretion to the University Court in the matter of extra-mural teaching. I consider that the University Court, as constituted, is so strongly impregnated with the professorial element that it might be safely trusted with this power. But the fact is that the power of extra-mural teaching is not given absolutely to the University Court, but is limited in two directions, by the words "to such an extent and subject to such conditions as the Commissioners may determine." I should hope that whatever else the

Government may do they will agree to omit these latter words. The question is this—does the Committee think that the University Court should have an absolute an unqualified right to sanction the teaching of any college or teacher for purposes of graduation? If my hon. Friend desires absolute liberty in this respect he would better attain his object by moving to omit the words after the word "graduation," which would enable us to vote on the question without embarrassment. The question is one of as great importance to Scotland as any that arises on this Bill, and is deserving of the fullest consideration on the part of the Committee, whose opinion will, I trust, be in favour of leaving the University Courts entirely unfettered by any restrictions.

*MR. J. B. BALFOUR: The effect of my hon. Friend's Amendment would be to vest exceedingly large powers in the University Court, because it would deprive the Commissioners of the power of laying down the general rules for the regulation of the University teaching and to create a Court of a competitive character. I quite agree with those who think it would be better to trust to the general scheme of regulations laid down by the Commissioners.

DR. FARQUHARSON (Aberdeenshire, W.): Speaking for the Edinburgh University, in which I obtained my own education, I may remind the Committee that that University is in favour of free trade in teaching. I think the University teaching is very much more efficient than formerly, and the falling off in extra-mural teaching in Edinburgh is probably due to that cause. Although I sympathise with the Amendment of my hon. Friend, I think it would, if anything, lessen the powers of the extra-mural teachers, that is to say, if the restrictions are the same as they used to be in my day. As far as I remember, no one was allowed to teach extra-murally unless he were able to pass fairly a moderate examination. Therefore, I think, perhaps this Amendment might tend rather to restrict it than otherwise. But at the same time, I entirely concur in his general view. I do not see myself why any efficient graduate should not be allowed to teach under proper restrictions, and I shall be very glad to support the further Amendment to that effect.

*MR. WALLACE: Perhaps I may be allowed to say in reply to the right hon. Gentleman the Member for Clackmannan, that the Amendment I propose would not be at all productive of competitive examining powers. I have made the Amendment distinctly with the view that the Clause at the end of Subsection 4 is to be omitted. I do not want the Commissioners to be able to lay down either the extent or the conditions under which the power of extra-mural teaching is to be exercised. With respect to leaving the University Court free for the exercise of this power, there are securities provided in the nature of things, in the fact that it would be the interest of the University Courts to protect the interest of the institutions they govern, while on the other hand there would be express regulations as to the matter which I contemplate putting into the Bill to be made part of an enactment by Parliament. My hon. Friend has called my attention to the clause, which I carefully studied in devising my Amendment. Upon the whole I am inclined to think that with a little modification, Section 20 might be made capable of securing all we desire; at all events, in the future. When the Commission has run its course, I think it may be possible under that section to secure that the matter shall be practically in the hands of the University Court. Taking this view of the matter, I do not think I should be justified in troubling the Committee with a division. I ask leave to withdraw the Amendment.

Amendment, by leave, withdrawn.

*SIR G. TREVELYAN: I think, after what my hon. Friend the Member for Edinburgh has said, and the impression which I gathered from the Lord Advocate that some machinery ought to be laid down by which the power of regulating extra-mural teaching shall survive the death of the Commission, I am quite prepared to withdraw my Amendment.

MR. J. P. B. ROBERTSON: I spoke under a misapprehension as to the Committee of the Privy Council. I think, however, that this will do as an Amendment of the right hon. Baronet to leave out all the words after the word "Commissioners," and to insert these words—

"These regulations, after the expiration of their powers, may from time to time be modified or altered by the Universities Committee."

*MR. D. CRAWFORD: This is not the regular way. Section 20 lays down clearly how the powers of the Commission are to be carried on when the Commission has ceased, and why should an exception be made of one power, and mentioned in advance by this clause?

MR. J. P. B. ROBERTSON: My impression was that it would be better to take this opportunity to dispose of the point rather than leave it to another stage when other things would be under consideration and attention would be blunted.

*SIR G. TREVELYAN: As far as I am concerned, I prefer the course suggested by the Lord Advocate.

Amendment proposed—

"Clause 6, page 6, line 17, leave out from 'to such,' to 'may determine,' in line 18, and insert 'under any regulations on the subject laid down by the Commissioners, or, after the expiry of their powers, by the Universities Committee."

Question proposed, "That the words proposed to be left out stand part of the Question."

*MR. D. CRAWFORD: I must press my view on the subject. The Bill lays down in a clear manner that, whatever is done by the Commissioners may, on the expiration of their powers, be altered by the Universities Committee. To take out one of these powers and to give the Universities' Committee power to deal with it directly I think is a very great mistake, and is not only a matter of bad drafting, but is calculated to lead to great confusion.

*MR. HUNTER: It seems to me that the University Committee, which is a purely judicial body, is not the proper tribunal to exercise functions of this character.

*SIR G. TREVELYAN: I have read Clause 20 with very great care, and I must say the process through which the various bodies referred to in it will have to go is one I could say a great deal about, but will not do so now. I own I prefer the Amendment as amended by the Lord Advocate.

Question put, and negatived.

MR. J. P. B. ROBERTSON: I now move to amend the Amendment:—

"To leave out all the words after the word 'Commission,' and to insert these words—'These regulations, after the expiration of their powers, may from time to time be modified or altered by the University Committee."

Question put, "That these words be there inserted."

Amendment agreed to.

*MR. WALLACE: I beg to leave out lines 17 and 18, page 6, and insert—

"Provided always that every holder of the highest degree conferred after examination and with honours, where such honours are given, in any faculty shall, subject to such regulation as aforesaid, be a recognised teacher for the purposes of graduation on such faculty."

I am well aware of the large character which this Amendment assumes. At first sight it presents a revolutionary aspect, but it is not so. It is simply a partial restoration of the ancient state of things. The time was in the Scottish Universities, and it was according to their constitution as founded by their munificent and far-sighted donors, when every graduate had the right to teach, the consequence being that at the end of the 16th and the beginning of the 17th centuries Europe was flooded with teaching graduates from the Scottish schools conferring great benefits upon the communities amongst whom they went, and reflecting lustre on the seminaries from which they came. I do not propose anything so extensive as that; I simply ask a restoration to the Universities of fragments of their original arrangements and constitution. I do not propose that all graduates, in arts at all events, should be invested with such powers of teaching as would make them a source from which the right to graduation might come. I only ask that that should be bestowed upon graduates who have taken honours, whether first or second class. I think I might with perfect propriety and consistency have insisted that all graduates should be allowed to give such teaching as would qualify for degrees, for if men are able to obtain degrees themselves, they are surely able to direct others to the same goal of success. The meaning of Master of Arts and Doctor of Philosophy is simply teacher in the faculty with which they are connected. My Amendment does not necessarily imply that one graduate should be considered sufficiently qualified for giving preliminary instruction

in all the branches to be examined upon for any degree, because I provide that the arrangement for giving this power to graduates should be subject to such regulations as have already been agreed upon by the Committee. Further, I do not think that such an arrangement would necessarily compete with University teaching. I am not one of those who undervalue the teaching function of the Universities. I would put that entirely under the regulation of the University Authorities, and by exercising a very little ingenuity they might contrive to prevent any discouragement being given to attendance in University classes and teachers. They might arrange that University-taught candidates should be able to get through in a shorter time than would be allowed to those who had attended the teaching of persons who, as far as might be known, might be considered second-rate teachers. Accordingly, I do not see why such an arrangement would compete with the University teaching or do any real harm to the functions of the Universities. You will as a result have all the advantages of the stimulus given to the University teachers by competition with possible rivals outside. I would suggest that there will be this other element of advantage in the arrangement I propose, and that is that it will develop what I may call local scholarship as contrasted with central and Metropolitan scholarship, and it will raise up a class of University teachers all over the country composed of men in different positions and in possession of degrees; schoolmasters and others in similar positions, who will consider it a privilege and advantage to be engaged in the task of preparing, under proper authority, students for graduation. I venture to think that in this way it will save the expenditure of a good deal of public money in the way of philanthropic contributions for the erection of colleges. If the teaching were done by private enterprise I have no doubt that it would be done efficiently, so that then there would be no necessity for equipping college institutions, except possibly in connection with those classes which require a large amount of scientific apparatus. Then, I venture to think, another advantage would be that it would give a great stimulus to higher education, and it would be an object for intending graduates to endeavour to secure honours in connection with the different degrees. I would suggest it is possible that the University Court may, by-and-by, not think it necessary that honours should be confined to the art course, but that it might become desirable that honours should be attached to scientific degrees, and also to those in law and medicine, and if that were so, I think it is perfectly certain that honours would be much more in request than they are at the present moment, because not only would it be the aim and ambition of students to obtain them, but it would also be the desire of prudent men to secure them, for they would be anxious to acquire the honours along with the degree in order that they might engage in an occupation that would be to many of them a means of support. I feel satisfied that a proposal of this kind is not merely visionary. I contend that it is fraught with advantages of a practical nature, both in the way of stimulus and of economy; and believing this to be substantially the character of the Amendment that I have ventured to frame, I now put it before the Committee and will, if necessary, take a division upon it.

Amendment proposed,

In Clause 6, page 6, leave out lines 17 and 18, and insert "Provided always, that every holder of the highest degree with honours in any faculty shall, subject to such regulation as aforesaid, be a recognised teacher for the purposes of graduation in such faculty."

*SIR LYON PLAYFAIR: My hon. Friend has truly said that this was one of the old traditions of the University, for a magister was by right a teacher. But that was the case two centuries ago, and the practice was abandoned in all Universities because it was found quite impossible as the degrees were multiplied to maintain it. Men were bound to remain for two years at the University after taking the degree of magister in order to get experience in teaching under qualified regents, and they were not only permitted, but they were bound to teach. But all that was abandoned two centuries ago, and men now take degrees without any intention of teaching, and, indeed, without any experience of it. The proposal actually is that every man who takes the highest degree is therefore supposed

to be qualified to be a teacher, whereas he has had no experience whatever in teaching. This is an attempt to apply to modern conditions a system which broke down under ancient conditions. It would, if it were adopted, convert Scotch Universities into mere examining bodies, and deprive them of the distinctive character they now possess. Every graduate of the highest degree would, if the Amendment were carried, have to prepare persons for graduation without any experience of teaching, and I venture to suggest that this is not compatible with the modern idea of a University. It was the ancient practice, because the magisters were bound to remain in the Universities for several years in order to gain experience in teaching; but all that has now passed away, and therefore it would not be wise to adopt the Amendment of my hon. Friend.

MR. HALDANE (Haddington): I hope my hon. Friend will not think it necessary to press this Amendment to a division, because it is an Amendment which practically proposes what is equivalent to open teaching in the Universities. I do not think myself that open teaching in the Universities is desirable in the sense in which teachers are to be unqualified. We want to see as large a scope for teaching as possible, and for extra-mural teaching, but we do not want to have incompetent teachers. We must be thankful for small mercies. My hon. and learned Friend expressed an opinion that it was right that every graduate, whether in honours or not, should have the power of teaching in the University. Now, we are not all Admirable Crichtons, even if they were years since. And even if this is to be limited to holders of the highest degree with honours, I am not sure that including, as it does, persons who graduated years ago, it would be altogether satisfactory. I believe my hon. Friend and myself would come within the category. I am perfectly confident my hon. and learned Friend would be able to go back and teach divinity with the greatest efficiency in the Scotch Universities; but I do not think that I am not competent to go back and teach Arts. Holding these opinions, I think it would be in the highest degree disastrous if people who took their degree years ago, and have, perhaps, forgotten the most of what they once knew, were to be at liberty to teach on any subject they please. I shall feel compelled to vote against the Amendment.

Amendment put, and negatived.

*MR. HUNTER: As the clause now stands, it gives power to the University Court to delegate the transaction of certain business, such as the appointment of officers, instead of the Committee having merely to report to the Court, leaving the final decision in its hands. Thus the Court would be able to delegate to a Committee of five the power to appoint professors. I do not think this is desirable, and I therefore desire to move my Amendment, which will modify that proposition.

Amendment proposed, Clause 6, page 7, line 2, to leave out all after "powers," and insert—

"To report on any business that may be entrusted to them by the University Court, or to carry out special instructions ordered by the University Court."

MR. J. P. B. ROBERTSON: I agree with the hon. and learned Member that there should be no absolute or general power of devolution, but merely a power to refer certain work to a Committee appointed for that purpose. I rather think, on the whole, that the words of the Amendment are better adapted for that purpose than the clause as it now stands, and accordingly I propose to accept it.

Amendment put, and agreed to.

*MR. HUNTER: My next Amendment proposes after Sub-section 1 to insert the words "(2) To initiate changes in all educational matters." But I think that in view of the possible amendment of Clause 7 that will not be necessary, and I, therefore, do not propose to move it. I think it will be necessary, however, to add words to the clause authorizing the University Court to make provision for certain expenditure, and I will move my Amendment dealing with that.

Amendment proposed, Clause 6, page 7, at end, to add "(2) to provide for the expenses incurred by the General Council in exercising the powers conferred by this Act."

MR. J. P. B. ROBERTSON: There is a subsequent Amendment which deals with this matter in a more comprehen-

sive form, and which will effect the object the hon. Member has in view.

Amendment, by leave, withdrawn.

Amendment proposed, Clause 6, page 7, at end of clause, add—

"(9.) After the expiration of the powers of the Commission to found new professorships with the consent of the Chancellor and the approval of the Universities Committee, and after such expiration no new professorship shall be founded except as herein provided."—(*The Lord Advocate.*)

*MR. HUNTER: I hope the right hon. Gentleman will not press this clause on the House. If there is one thing more desirable than another to encourage in Scotch Universities it is to have new professorships instead of imposing all sorts of restrictions on their foundation. The right hon. Gentleman must remember that no new professorships can be founded unless some one comes forward with the necessary funds, and I should like to ask why should not the money be accepted?

MR. J. P. B. ROBERTSON: The words of my Amendment are founded on the Universities Commission Report of 1878. In some Universities the question has arisen as to what authority there is for the foundation of a new Chair, and it was found there was scarcely limitation. We all desire that every new Chair which is likely to be useful should be founded; but it is most undesirable that the Universities should be cumbered with Chairs which are useless. It is desirable there should be some check upon the foundation of such Chairs. While the Commission lasts we have the check in the Commission; but after the Commission expires I think that check is one of its functions which should be continued in the University Court.

MR. BUCHANAN: Cannot the Lord Advocate remove somewhat the restrictions in the way of founding professorships?

*MR. HUNTER: I do not think that the Lord Advocate can have seriously considered what will be the result of carrying this Amendment. I think if any person is found, of a liberal turn of mind, disposed to endow a Chair, instead of throwing obstacles in the way of accepting that endowment we should receive it with open arms. I shall move to omit the words after "professorships" in the Lord Advocate's Amendment.

Amendment proposed to proposed Amendment, to omit the words after "professorships."

Question proposed, "That the words proposed to be left out stand part of the Question."

DR. CAMERON: I think there is force in what has been said by my hon. and learned Friend. Now, some of our Universities are badly provided with professorships of research. Scientific research is of the utmost importance. It must be remembered that the foundation of new Chairs often raises a very considerable amount of jealousy among the existing professors, who fear that their classes may be endangered; and in the case of such an agitation arising it would certainly be brought under the notice of the University Committee and of the Chancellor. I believe, if we leave this question entirely in the hands of the Council, there will be a legitimate and salutary check on the foundation of professorships, while, at the same time, there need be no fear of preventing the foundation of professorships of research.

MR. J. P. B. ROBERTSON: I may point out that there is an alternative to founding professorships, and that is establishing lectureships. I strongly deprecate the foundation of new professorships without vigilant and searching inquiry. Remember that professors have claims on the State in the way of pensions. I do not think it is quite fair to represent this as a question whether or not a University shall have the benefit of the foundation of a Chair on it may be an interesting and important subject. The point is, how shall the proposals to establish professorships be dealt with.

*MR. W. SINCLAIR (Falkirk): Speaking with some little practical experience, I may perhaps be allowed to support the views of the Lord Advocate. I happened, along with my hon. Friend the Member for Carnarvonshire, to be one of two gentlemen who received a proposal to found in University College, Liverpool, a professorship for spiritualism. It was declined; but this affords a practical instance of the necessity for providing a safeguard against the desires of persons to uphold their views on particular subjects. The amount

offered on that occasion was large—I believe as much as £5,000. I therefore venture to think the views of the Lord Advocate should prevail.

*MR. HUNTER: The hon. Member is under an entire delusion. I maintain that if the clause is passed in the form in which it is now proposed to amend it, no person will be able to found a professorship. I therefore beg leave to press the Amendment which stands in my name.

*SIR LYON PLAYFAIR: I quite sympathize with the view of my hon. Friend that there should not be unreasonable obstacles in the way of the foundation of professorships. I agree with the Lord Advocate that the State has some interest in the matter, for all professors are entitled to pensions given by the State; and under these circumstances a Committee of the Privy Council is not a bad body to be consulted as to whether proposed professorships are right or not.

SIR GEORGE CAMPBELL: I think we have already had a practical example of the necessity of caution in founding professorships. I notice that one of the Universities has recently founded a professorship of natural religion, and I think it was exceedingly ill-advised in accepting that endowment. Therefore, I am inclined to adopt the Lord Advocate's words, with a view to securing full consideration of these proposals.

DR. CAMERON: In regard to the suggestion that lectureships might be established instead of professorships, may I point out that the most honour attaches to a professorship.

*MR. HUNTER: I am unable to withdraw my Amendment to the Amendment, because the latter exhibits a spirit of opposition on the part of monopolist teachers to the introduction of fresh subjects, and it is most important that Scotch Universities should not be controlled by monopolists.

THE CHAIRMAN: If the hon. Member for Aberdeen will withdraw his Amendment he will be in a position to move it again presently; otherwise, it will be impossible to put it.

MR. HUNTER: Then I will withdraw it.

Amendment, by leave, withdrawn.

Amendment proposed to proposed Amendment, to leave out the words "the consent of the Chancellor and."

Amendment agreed to.

Further Amendment proposed to omit the words "and after such expiration no new professorships shall be founded as herein provided."

Amendment put, and negatived.

Original Amendment, as amended, agreed to.

Clause 6, as amended, agreed to.

Clause 7.

*MR. J. A. CAMPBELL: I beg to move, Clause 7, page 7, line 9, leave out "conferred on it," and insert "hitherto possessed by it, so far as they are not modified or altered." As the Bill is drawn, it would seem to affirm that the powers of the Senatus Academicus were conferred on it by the Act of 1858. This, however, is not the case. The most important powers of the Senatus are those which it holds by the original Charter of the University. I had drawn my Amendment in terms which would also have recognized the powers hitherto "exercised" by the Senatus, but I understand there is objection to this, as it might be held to legalize all that the Senatus has done even if it has in any respect exceeded its legitimate powers, and therefore I confine myself to the words now moved.

MR. CALDWELL: I maintain that under this clause there should be no power conferred upon the Senatus Academicus beyond what it possesses under the Act of 1858. The object of the Amendment is that certain powers which have been exercised in a particular way should be recognized. The words "so far as they are not modified or altered" by this Act make an important change, because the powers hitherto possessed by the Senatus Academicus are to be affected to a certain extent by the provisions of this Act, and the Amendment suggests that they should remain intact.

MR. J. P. B. ROBERTSON: This is an Amendment of a clause drawn up by the Government, and I think the suggestion is an entirely right one. My hon. Friend proposes that we should not merely limit the powers of the Senatus Academicus, but those conferred upon it by the Act of 1850 should be held as extending to those lawfully possessed previously thereto. I think it

was an error in the Bill as it stood, and I am confirmed in that opinion by seeing that in the Act of 1858 it is expressly provided that the powers conferred by that Act shall be in addition to those heretofore belonging to the Senatus Academicus.

Amendment agreed to.

Clause 7, as amended, agreed to.

Clause 8.

*SIR GEORGE TREVELYAN: This clause is brought forward for the purpose of enabling the General Council to contribute its experience and knowledge to the work of University Reform. Now, the General Council, as far as I have been able to learn, hold strong opinions on the methods which will have to be adopted to make its interference effective. I think the methods preferred by the majority are embodied in this Amendment; they wish to be enabled to have a special meeting on application to the Chancellor, and they wish to have somewhat more power, including that, I believe, of sending deputations either to the Commissioners or to the Lord Advocate.

Amendment proposed, Clause 8, page 7, line 28, leave out the word "Commissioners."

MR. J. P. B. ROBERTSON: I do not think there is much harm in the proposal made by the right hon. Gentleman.

Amendment agreed to.

Further Amendment proposed, to insert the words,

"At the instance of the Chancellor, who shall convene such meeting on a requisition from a quorum of members and a Council."

Amendment agreed to.

*MR. HUNTER: The provision I propose in respect to the statutory half-yearly meeting does not apply to the decisions arrived at by a quorum; but inasmuch as the University Committee cannot do anything but talk and pass resolutions, I think the right hon. Gentleman might give the members the comfort of passing resolutions and going home, instead of compelling them to disperse disconsolately.

MR. J. P. B. ROBERTSON: I am rather surprised the hon. and learned Gentleman should attach importance to the privilege of talking. We must deal with the functions of this statutory body; and I think the ground on which the hon. Gentleman proceeds is materially weakened by the Amendment which has been agreed to at the instance of the right hon. Gentleman the Member for the Bridgeton Division. If the meeting turns out to be in such a depleted condition that it is under a quorum it can be adjourned; but it is most undesirable that discussion should continue with a very small attendance.

Clause 8, as amended, agreed to.

Clause 9.

DR. CAMERON: Probably the Lord Advocate will accept my Amendment, and I need only move it. My proposal is that as the Chancellor is to be when a Privy Councillor a member of the Committee, so also the Lord Rector if a Privy Councillor should be a member of the Committee. The Lord Rector is generally a statesman of Privy Councillor rank, I think.

Amendment proposed,

In Clause 9, page 8, line 1, after "council," insert "the Lord Rector of each of the Universities if a member of the Privy Council."

Amendment agreed to.

SIR G. CAMPBELL: My proposal is one I do not press very much, it is only a suggestion. What strikes me is the excessive preponderance of the legal element. We are governed in Scotland a great deal too much by lawyers, and all our Bills are drawn by lawyers. I have not been able to detect anything in the questions with which the Committee will have to deal that makes it necessary that it should consist for the most part of lawyers. It seems to me an administrative body exercising certain discretionary functions. To raise the question I will move the omission of the Lord Justice Clerk, for in the Lord President of the Court of Session we have that element sufficiently represented.

THE CHAIRMAN: The hon. Member cannot move that. That point is passed.

SIR G. CAMPBELL: Then I will raise the point by moving the omission of the words after "Committee."

Amendment proposed, in line 8, leave out all after "Committee," to end of Clause.

Question proposed, "That the words proposed to be left out stand part of the Question."

*MR. MOIR T. STORMONTH DARLING: I should have thought this would be considered a very harmless provision, for it only requires that one of the quorum should be one of the Judges of the Supreme Court in Scotland. I do not think the hon. Gentleman can urge anything against Scottish Judges, who undoubtedly command general confidence.

SIR G. CAMPBELL: All I meant was to express a doubt as to the expediency of having the legal element so largely represented. But I do not press it.

Amendment, by leave, withdrawn.

MR. BRYCE: I take no exception to the constitution of the Committee on the ground urged by the hon. Member. All I propose is that the Committee should have the means of availing themselves of special knowledge on matters upon which they give their decision. The Committee will have rather important functions to discharge; but there is no security that any of the members will have special knowledge upon University matters, distinguished as they may be in other respects. But University questions are largely connected with subjects requiring an intimate knowledge of University methods and arrangements, organization of study chairs, and degress, matters not within the knowledge of every eminent lawyer. I therefore suggest that the Committee should have the power to call in assessors to advise them on special educational questions. As the Lord Advocate knows, there are many precedents for this, not perhaps in precisely such a case but in regard to similar matters. I do not think it can do any harm to give the Committee this power to use if they think fit, and I can conceive that in many instances it might prove very useful. Experience in regard to Oxford justifies my proposal.

Amendment proposed, at end of Clause, add—

"The Universities Committee shall have power to request the attendance at the hearing of any matter which may come before them of two or more persons of special knowledge and experience in questions of University teaching, management, or organization to act as assessors at such hearing."

Question proposed, "That those words be there inserted."

MR. J. P. B. ROBERTSON: The objections to this are rather in regard to procedure than as to result. Of course it is most important that in matters of technique detailed information should be at hand; but, at the same time, I do not think it is possible to engraft a system of assessors or sittings of a Committee of the Privy Council. The whole theory of the duty of the Committee is antagonistic to that, and I am afraid this would be introducing an anomaly that could not work well.

*SIR LYON PLAYFAIR: My hon. Friend has pointed out a blot in the constitution of the University Committee that they may be without special knowledge. He proposes this method of assessors to meet the difficulty, but the proposal I shall have to submit in relation to Clause 14, seems to be a better way of meeting the difficulty.

MR. J. P. B. ROBERTSON: It may be to the purpose if I add that I propose to accept the Amendment to Clause 14 referred to.

MR. BRYCE: I do not feel quite satisfied with the objection of the Lord Advocate. He assumes that any proposal would be an interference with the purely judicial character of the Committee; but that would not be so. The assessors would not be concerned with the judicial decision. I may remind the right hon. Gentleman that a lay visitor to a college has an assessor to advise him on matters of law. Though the Committee would have the advice of the assessors, the decision would be the decision of the Committee. The only function of the assessors would be to discuss the matter with the members of the Committee present; the decision would emanate from the Committee itself. I confess I do not see the difficulty on the ground of procedure that weighs with the Lord Advocate, that the assessors should discuss the matter with the Committee after the witnesses have withdrawn, giving the benefit of their advice upon which the Committee may act. I am not wedded to this particular form of words in the Amendment, but I think the Committee will be defective if, in some form, my suggestion is not adopted. I do not think the proposal of my right hon. Friend (Sir Lyon

Playfair) quite meets the case. His proposal is that there shall be a consultative body only acting upon a remit from the Secretary of State, but not to be present to give the benefit of their special knowledge of the circumstances when the question is before the Committee. It is a useful provision in itself, but it is not identical in purpose with what I propose. But I do not press the Amendment.

Amendment, by leave, withdrawn.

DR. CAMERON: Before the clause is disposed of I should like to mention a matter that may cause some slight difficulty. The Committee is to include among other officials the Secretary of State for Scotland. Now, he is not necessarily a Privy Councillor, and I should like to know whether a person who is not a Privy Councillor can act on a Committee of the Privy Council. Of course the difficulty can be got over by making the Secretary for Scotland a Privy Councillor whenever he is not one.

MR. D. CRAWFORD: I think the Secretary for Scotland is necessarily a Privy Councillor.

MR. W. H. SMITH: I was under that impression myself.—Yes, that is so.

Clause, as amended, agreed to.

Clause 10.

MR. E. ROBERTSON: We have now reached one of the most debateable clauses of the Bill, and I trust I may be allowed to express the hope that the wise concession made by the Government at the beginning of the Sitting will be repeated in reference to the clause now under our attention. My Amendment has no reference to the *personnel* but only to the number of the Commission. I have to move that seven be the number of Commissioners. In the constitution of the University Court both sides were engaged in endeavouring to limit the number, and I think the same principle should apply to the Commission. I may say there are precedents for the course I recommend. In an Oxford Commission, some years ago, the number of Commissioners was seven, and again in a Cambridge Commission. I am also informed, though I have not verified the fact, that the Commission under the Endowments (Scotland) Act consisted of seven Members. I think there will be general agreement that a Commission with powers and duties such as are proposed here should not be very large, and I think that there will be a general opinion that seven, the number on former occasions, will be sufficient for these purposes. I am afraid my Amendment will not have the concurrence of my hon. Friend the Member for Kirkcaldy, because I propose to leave two lawyers, who, with five Members, would, I think, discharge the duties of the Commission in a manner worthy of their judicial position. On the other hand, the five Members of Parliament would more or less—rather more than less probably—be amenable to the influences of public opinion, and so I think we shall have a better Commission than is proposed in the Bill. I am not now dealing with names, I merely deal with the number of Commissioners, and I propose that number should be seven as on previous similar occasions.

Amendment proposed, in page 8, line 14, after "following," to insert "seven."

Question proposed, "That 'seven' be there inserted."

MR. J. P. B. ROBERTSON: The hon. Member has advanced his view in a very fair way. I am well aware a great deal of criticism has been directed against the large number of Members whom it is proposed to appoint on the Commission. Much must, of course, necessarily depend upon whether it is possible to obtain the services of a small number of highly qualified persons, all of whom would be certain to attend constantly to the work, so that it might be continuously administered from the beginning to the end. The hon. and learned Member has cited precedents for the smaller number he recommends, but I cannot say that those precedents apply. The Commissioners will have to deal here with an extensive scope of alterations and administration, and it is also a very important factor in the question that there are four Universities to deal with. The precedent of the Oxford and Cambridge Commissions breaks down at this stage of the argument. They are not precedents that can be applied in a case where four Universities have to be dealt with, the circumstances of each being of the most varied kind, and requiring an amount of continuous atten-

tion which is beyond the attainment of so small a number of members as seven. I quite agree that if you could secure six or seven men with high special qualifications and the opportunities of continuous application to the work they have to address themselves to, then the smaller number would be preferable, but unless you can have these combined advantages, I think it is idle to think of the smaller number. As this question has been raised it may be conducive to a settlement in a calm spirit, if I say a few words on the constitution of the Commission. I am sure everyone who has held office, and I am fortunate in having opposite to me several right hon. Gentlemen of that position—will support me when I say that it is a most difficult duty to get together a number of men you think desirable to associate together on a Commission. There are the qualifications of each member, his acquaintance with public affairs, the extent to which he may have committed himself by an expression of opinion, his fairness in the discharge of public duty, and his willingness to serve, all these matters have to be considered. We have been assailed, though not by any considerable section of the House, on account of the selections we have made for this Commission. If the Commission does not contain some of the elements which might have been desired, it is not the fault of the Government. I am at liberty to mention names, because the information is in the possession of the public. It is well known that Lord Rosebery was asked serve. It ought to be known too, that the right hon. Gentleman opposite (Sir Lyon Playfair) was invited to accept the position of Commissioner for what he is pre-eminently qualified, and also the hon. Member for Aberdeen (Mr. Bryce) a political opponent of the Government and a pronounced adherent of progress in University matters. These gentlemen were asked, and it is clearly understood that even now, should they find it compatible with their duties to accept the position, they would be seated on the Board of Commissioners. I only mention these names to show that there has not been the smallest disposition on the part of the Government to confine their selection to one party, either with regard to politics or the question of University reform. No doubt there are adequate reasons for the gentlemen I have just named declining to accept a responsibility which would involve a long and detailed inquiry. If we cannot obtain the services of seven or eight highly qualified persons, the next best thing is to appoint a larger number of gentlemen who are known to the people of Scotland to be fair-minded and to possess a knowledge of the currents of Scotch thought, which are likely to be moving on such subjects. I shall follow the example of the hon. and learned Gentleman and not now discuss names. I will only say that we have nominated a number of experienced and accomplished public servants, some well-known to the House of Commons and all well-known to the people of Scotland interested in University affairs. I defy any Cabinet to get together a body of men for such a purpose, some of whom would not be open to criticism. No doubt if there is a disposition to enter upon the task of discussing individual qualifications there will be a number of things to say, a number of sarcasms to fire off in reference to each, but I venture to say that we have recommended a Commission which the House of Commons may accept as likely to impartially discharge the important duties entrusted to them.

*Mr. CHILDERS (Edinburgh, S.): The right hon. and learned Gentleman has appealed specially to those who have had some experience of the appointment of Commissions, and perhaps I have had a longer experience of that kind than any who now happen to be present. Happily, we are not now entering upon any personal question, and I pass by, as not in point, the merits of this or that nomination when I give, as the result of my experience, the opinion that it is desirable to appoint to an administrative Commission of this character no more members than are necessary to discharge in a satisfactory manner the duties entrusted to them. I have had considerable experience both in the appointment of Commissions and as a member, and I have invariably found that the work is better and more continuously done by small than by large administrative Commissions. It is said that the small Oxford and Cambridge Commissions afford no analogy, because the Commissioners under this

Bill will deal with four Universities instead of one, which the Oxford and Cambridge Commissioners each dealt with. But I would remind the Committee, in reference to the Cambridge Commission, that the inquiry related to between 20 and 30 colleges, and each of them had to be dealt with separately. Yet the small Commission which conducted the investigation was a most effective one, and certainly had the approval of the great body of those who were interested in Cambridge. Therefore, the analogy of the Cambridge Commission is distinctly in favour of the present one, being a small instead of a large Commission. My own experience as a member of a good many Commissions tells me that in a small Commission every one feels it to be his duty to attend regularly. If, on the other hand, you have a large Commission, the feeling on the part of every member is, if it be inconvenient to him to attend on any day, that there are sure to be others who will attend, and hence the natural inclination is to be careless as to daily attendance, in the confidence that others will, on the whole, put in a reasonable number of attendances. One day there will be, perhaps, not more than half a Commission present, and on the next day, when the same subject is being discussed, the other half of the members will attend. The work of a small Commission is, therefore, always better done than that of a large Commission. I think seven members is about the best number of which to form a Commission, and I am confident that the work will be better done — more steadily and continuously done—by a Commission of seven members than by the large body proposed in the Bill.

MR. MUNRO FERGUSON : The Lord Advocate alluded just now to the names of those who have been asked to serve upon this Commission. Amongst others he mentioned Lord Rosebery. I can state that Lord Rosebery, when invited to serve, said he must first be made aware of the names of those who would be his colleagues, and that on being informed of the names he stated that they would not be satisfactory to the people of Scotland.

SIR G. CAMPBELL: I am very anxious that we should not make the number of the Commission so narrow as to exclude a class which I think it is absolutely necessary to have represented if the Bill is to be efficiently carried out. We need on the Commission some pronounced educational reformer. I find that among 15 members on the proposed Commission, there is only one to whom that title can be properly applied, and that is the Member for Manchester, who is no doubt a scientific man, and, I believe, an educational reformer. It seems that as public opinion is constituted in this country, you must have a great many classes represented on the Commission. You must have one or two Lords, some lawyers, some gentlemen of the othodox educational school, and some representatives of the medical profession. The result seems to be that the pronounced educational reformers, and the scientific men are crowded out altogether, and you are only able to find place for one of them on a Commission of 15. For how many, then, would be found room among seven ? I am not inclined to reduce the number to that extent. I would add some pronounced educational reformers to the Commission, and I think there would be no room for them if we reduced the number to seven.

*MR. HUNTER: It is most invidious to make any remarks on the names of gentlemen who have spontaneously offered to render arduous and important public services without any remuneration, and therefore I think it desirable that we should discuss the merits of the clause upon the present Motion. I think it was hardly right of the Lord Advocate to tell us that Lord Rosebery had declined to join the Commission without adding the reason for his conduct. The reason just stated throws considerable light on the spirit in which the Commission has been formed, and no one who looks at the list can doubt that this is not a successful effort to obtain a *bonâ fide* selection of men from Scotland. The Government have themselves to blame for the predicament in which the Committee is put. Substantially the same Commission was proposed last year, and I think there was not a single organ of public opinion in Scotland, including those organs which habitually support the Government through thick and thin, right or wrong, that did not condemn this Commission. After that warning

the Government have persisted in putting forward, practically, the same list on this occasion. The right hon. Gentleman tells us they were anxious to constitute as fair a Commission as possible. If so, how does this extraordinary result happen that, whereas the question of tests is going to be referred to the Commission, that body is full of Established Churchmen and Episcopalians, and even of Roman Catholics; but there is not a single Presbyterian outside the establishment upon the list? There is another coincidence. The enormous majority of the people of Scotland differ in political opinion from Her Majesty's Government, but the only persons the Government can find in all Scotland suitable for the work of the Commission are persons of the political colour of right hon. Gentlemen opposite or Liberal Unionists. I should be very sorry to object to a single name on the list upon the merits of that particular name, but I do object to the *tout ensemble* being all of one colour. I trust the Government will avail themselves of the time that will remain over between this evening and to-morrow to re-consider the question, and that they will agree to reduce the number of the Commission and somewhat modify its colour and composition so as to spare us the very invidious proceeding of having to omit the names one by one.

The Committee divided.—Ayes 86; Noes 164.—(Div. List, No. 161.)

MR. ESSLEMONT: I now beg leave to move, Sir, that you report Progress, and ask leave to sit again.

*MR. W. H. SMITH: After what has occurred this afternoon, and as reasonable progress has been made, I shall not oppose the Motion.

*MR. HUNTER: May I ask the First Lord of the Treasury whether it would not be advisable that the next stage of the Bill should be deferred until Monday. We have arrived at a point when, by negotiations, I think we might come to an understanding by which very rapid progress could be made in the future. I think that after the 10th Clause is disposed of, there will be only one important subject left—namely, the retention of seats.

*MR. W. H. SMITH: I agree that very satisfactory progress has been made by the Committee in considering this measure, and I wish to acknowledge the exceedingly fair spirit in which the Bill has been dealt with on both sides of the House, and especially by the hon. and learned Member himself. But I think that, having made such progress, we may hope to continue it at 2 o'clock to-morrow. I am not without hope that an understanding may be arrived at very early in the course of the afternoon, which will afford a satisfactory solution of the question; and really I think it would be a great misfortune if now we were to interfere with the consideration of the Bill. The House always desires to proceed from day to day with a Bill of this kind, and, indeed, I am under an obligation with the House that this shall be done.

MR. CAMPBELL-BANNERMAN: So far as as I am acquainted with the opinion of my hon. Friends, I may say I think that once the question of the Commission is disposed of, except as to the very large question of tests, there will be very little contentious matter. That makes it all the more desirable we should come to some understanding as to the constitution of the Commission; and if the Government could meet our wishes to some extent, we shall be glad to facilitate the progress of the Bill.

Committee report Progress; to sit again to-morrow at Two of the clock.

ADVERTISEMENT RATING BILL.

As amended, considered; an Amendment made; Bill read the third time, and passed.

MOTION.

—o—

COTTON CLOTH FACTORIES BILL.

On Motion of Sir William Houldsworth, Bill to make further provision for the regulation of Cotton Cloth Factories, ordered to be brought in by Sir William Houldsworth, Viscount Cranborne, Sir Henry James, Sir Henry Roscoe, Mr. Mundella, Mr. Hoyle, and Mr. Sidebottom.

Bill presented, and read first time. [Bill 294.]

House adjourned at five minutes after Twelve o'clock.

HANSARD'S PARLIAMENTARY DEBATES.

No. 10.] FIFTH VOLUME OF SESSION 1889. [JULY 6.

HOUSE OF LORDS,

Friday, 28th June, 1889.

WEIGHTS AND MEASURES BILL.
(No. 108.)

Reported from the Standing Committee for Bills relating to Law, &c, with amendments: The Report thereof received; and Bill re-committed to a Committee of the Whole House on Thursday next; and to be printed as amended. (No. 121.)

ADVANCE NOTES TO SEAMEN BILL.
(No. 93.)

Reported from the Standing Committee for Bills relating to Law, &c., without amendment; and re-committed to a Committee of the Whole House on Monday next.

FACTORS BILL (No. 27.)

Reported from the Standing Committee for Bills relating to Law, &c., with amendments: The Report thereof received; and Bill re-committed to a Committee of the Whole House on Monday next; and to be printed as amended. (No. 122.)

COMMITTEE OF SELECTION FOR STANDING COMMITTEES.

Report from, That the Committee have added the Duke of Westminster and the Earl of Kimberley to the Standing Committee for Bills relating to Law, &c. for the consideration of the Reformatory Schools Bill [H.L.] and the Industrial Schools Bill [H.L.], and the Earl of Brownlow, the Lord Clifford of Chudleigh, the Lord Ker (Marquess of Lothian), and the Lord Leigh for the consideration of the Industrial Schools Bill [H.L.] Read, and ordered to lie on the Table.

ADVERTISEMENT RATING BILL.

Brought from the Commons, read 1ª, and to be printed. (No. 124.)

BOARD OF AGRICULTURE BILL.

Brought from the Commons, read 1ª, and to be printed. (No. 125.)

SECRETARY FOR SCOTLAND BILL
(No. 52.)

Returned from the Commons, agreed to.

HERRING FISHERY (SCOTLAND) BILL.
(No. 94.)

SECOND READING.

*THE MARQUESS OF LOTHIAN, in moving the Second Reading of this Bill, said: My Lords, the object of this Bill is to alter and amend previous Acts relating to the herring fishery on the coasts of Scotland. The principal provision of the Bill is contained in Clause 6, the object of which is to close the territorial waters in Scotland against trawlers. In 1882 an Act was passed taking away the control of the fishery interests of Scotland from the Board of Manufacturers, and creating a Fisheries Board. In 1883 and 1884 a Commission, presided over by Lord Dalhousie, went most carefully through all the details of this question among others, and the result of their inquiry and Report was that an Act was passed in 1885 with reference to trawling in the territorial waters of Scotland. By that Act the Fishery Board was empowered to make bye-laws from time to time closing

various districts of the territorial waters of Scotland against trawlers under certain conditions, two of which were: first, that they should be satisfied that the trawling in the waters which they proposed to close was actually doing such damage to the line and drift net fishing as to justify their intervention; and, secondly, that it was necessary to close those waters for the purpose of experiment. Any order or bye-law made by the Fishery Board was subject, of course, to confirmation by the Secretary for Scotland. The result of the exercise of these powers by the Fishery Board up to the present time has been that nearly the whole of the east coast of Scotland has been closed against trawlers. Last year, it having been found that on the west coast of Scotland, in the Firth of the Clyde, considerable injury had been done by the trawlers, and the Fisheries Board proposed a bye law to close the Firth of the Clyde; but upon its being submitted to me for confirmation, I referred the bye-law to my legal advisers, and I found that as proposed by the Fisheries Board it was *ultra vires*, and therefore I was unable to confirm the bye-law, and at this moment the Firth of the Clyde is open to trawlers. Since that time the controversy between the trawling fishery and the other fisheries of Scotland has gone on, and I have referred this question, as a whole, to the Fisheries Board for their advice and opinion as to the propriety of closing the whole of the territorial waters against trawling; and after inquiry they recommended that that course should be taken. It is with that object that the present Bill was introduced into the House of Commons and now comes before your Lordships, and I trust that your Lordships will pass it practically without Amendment. I am convinced that the measure will be of advantage to the fishing interest of Scotland generally. That interest is not in so flourishing a condition at the present time that it is not deserving of every encouragement that can properly be given to it. With regard to the east coast, there is no very great difficulty in fixing the limits of territorial waters, because between Her Majesty's Government and what I may call the riparian Powers on the North Sea, there is a Fisheries Convention; but on the west coast there is no such Convention, and therefore it has been thought desirable to attach a schedule to this Bill in order to show exactly which are the waters closed against trawlers apart altogether from the general international rule as to the three-mile limit. I may add that power is given to the Fisheries Board, subject to the confirmation of the Secretary for Scotland, to re-open particular waters to the trawlers. That is found necessary, among other reasons, because there are certain classes of fish which cannot be taken except by trawlers, and by them only at certain seasons of the year. Those are the main principles of this Bill, but there are subsidiary clauses to which I would just like to refer for one moment, especially Clause 4. Clause 4 provides for the use of cran or quarter cran measures. That does not apply in any sense to the measures for sale by the fish-curers to general customers; it simply refers to the measures to be used in the sale by the fishermen themselves to the fish curers. The object of the alteration of the law is simply this: at present fish is generally in baskets containing crans of 37½ gallons, but it is found that these crans or baskets when they get old undergo a very great alteration in their size and capacity, and by this Bill a fixed and standard measure is provided, by which, under penalties, the sale of herrings is to be regulated. I do not propose to load this Bill with any clauses with reference to another matter, but I think I may find it necessary on a future occasion to ask your Lordships to deal with it—I mean the regulation of the measures under which the fish curers sell their fish into foreign markets. The question is a complicated one, and as it is not included in this Bill, I will not further refer to it now. Clause 5 has been put in entirely at the wish of those who are interested in the subject to which it refers. It renders illegal daylight fishing, and Sunday fishing. It has been found that the fishers of the Clyde district wish that there shall be no Sunday fishing, and the clause refers only to a limited district. I do not think there is any other clause to which I need call your Lordships' attention, and I will now ask your Lordships to give the Bill a Second Reading.

The Marquess of Lothian

Moved, "That the Bill be now read 2ª."—(*The Marquess of Lothian.*)

THE EARL OF WEMYSS: I do not rise for the purpose of in any way opposing the Second Reading of this Bill, which I hope will, on the whole, be of advantage to the fisheries of Scotland. There is a provision in this Bill which I shall ask you to resist when we go into Committee. I mean the 5th Clause, to which my noble Friend has referred, which provides for the infliction of heavy penalties for setting or shooting any herring nets between sunrise on Saturday morning, and one hour before sunset on Monday evening. I shall in Committee propose to omit that clause.

*THE MARQUESS OF LOTHIAN: I regret that the noble Lord has given notice of his intention to move the omission of this clause. I would like to point out to the noble Lord, in the first place, that as I said just now, the clause was introduced at the desire of those most directly concerned—namely, the Association of Fishermen in the Firth of the Clyde; and, in the second place, the clause is by no means a new one. In an Act of George III. herring fishing, or any fishing whatever, is prohibited between the hours of 12 o'clock on Saturday night and 12 o'clock on Sunday night. I hope that the Bill will be allowed to pass as it stands. I may say that when I first drew this clause I thought there would be some objection to it. I thought it was rather too arbitrary, but on finding that it was supported by the fishing people themselves, I thought that there could be no objection to it.

THE EARL OF WEMYSS: I may say that I am not convinced by the argument of the noble Marquess, and I shall certainly endeavour in Committee to induce your Lordships to omit this clause.

Bill read 2ª (according to order), and committed to the Standing Committee for general Bills.

CONDITION OF ARMENIA.

QUESTIONS—OBSERVATIONS.

THE EARL OF CARNARVON, in rising to call attention to the alleged outrages in Armenia, and to the serious state of affairs in that country, and to move for any reports and correspondence (or extracts) since the date of the last issue of Parliamentary Papers on the subject, said: My Lords, this is a subject that requires a good deal of discretion to handle, and it was only a conviction in my mind that the present state of affairs is extremely bad, and that the continuance of that state of affairs is perilous to the peace and interests of Europe, that decided me to proceed with the question. My Lords, I need but very little preamble. My question refers to the Armenians, and your Lordships are aware that in the Asiatic provinces of Turkey there are estimated to be something short of a million and a half Armenians. They are an ancient people, a people with a history, a religion, a literature, a race of their own, who have been subjected through past generations to great and unmerited oppression, and who, by their industry and their continuity of purpose, have generally baffled the oppressions of their persecutors. The Armenian people have distinct treaty claims upon the Porte, upon Europe, and upon this country. The obligations which Europe and the Porte lie under to the Armenian people are contained in the 61st Article of the Treaty of Berlin. Under that article the Porte engages "to make Reports as regards the Armenian people, to guarantee them protection," (mark these words) "against the Kurds and Circassians; periodically to communicate to the different Powers the steps which it has taken for the amelioration of the Armenians' condition," and, lastly, the Powers themselves reserved power to superintend the execution of this Article. Those, in few words, are the engagements which the Porte in the year 1878 solemnly entered into as regards the Armenian people with Europe. On the other hand, we are bound to them by another Instrument—the Anglo-Turkish Convention—in which my noble Friend at the head of the Government has a special interest. By that Instrument England engages practically to defend the Eastern frontier of Turkey in the event of Russian aggression; and in turn the Porte enters into an engagement with England that she will effect reforms in the condition of the Christian and other subjects, particularly in those territories and would secure for them protection against, I suppose, the Kurds and Circassians.

various districts of the territorial waters of Scotland against trawlers under certain conditions, two of which were: first, that they should be satisfied that the trawling in the waters which they proposed to close was actually doing such damage to the line and drift net fishing as to justify their intervention; and, secondly, that it was necessary to close those waters for the purpose of experiment. Any order or bye-law made by the Fishery Board was subject, of course, to confirmation by the Secretary for Scotland. The result of the exercise of these powers by the Fishery Board up to the present time has been that nearly the whole of the east coast of Scotland has been closed against trawlers. Last year, it having been found that on the west coast of Scotland, in the Firth of the Clyde, considerable injury had been done by the trawlers, and the Fisheries Board proposed a bye law to close the Firth of the Clyde; but upon its being submitted to me for confirmation, I referred the bye-law to my legal advisers, and I found that as proposed by the Fisheries Board it was *ultra vires*, and therefore I was unable to confirm the bye-law, and at this moment the Firth of the Clyde is open to trawlers. Since that time the controversy between the trawling fishery and the other fisheries of Scotland has gone on, and I have referred this question, as a whole, to the Fisheries Board for their advice and opinion as to the propriety of closing the whole of the territorial waters against trawling; and after inquiry they recommended that that course should be taken. It is with that object that the present Bill was introduced into the House of Commons and now comes before your Lordships, and I trust that your Lordships will pass it practically without Amendment. I am convinced that the measure will be of advantage to the fishing interest of Scotland generally. That interest is not in so flourishing a condition at the present time that it is not deserving of every encouragement that can properly be given to it. With regard to the east coast, there is no very great difficulty in fixing the limits of territorial waters, because between Her Majesty's Government and what I may call the riparian Powers on the North Sea, there is a Fisheries Convention; but on the west coast there is no such Convention, and therefore it has been thought desirable to attach a schedule to this Bill in order to show exactly which are the waters closed against trawlers apart altogether from the general international rule as to the three-mile limit. I may add that power is given to the Fisheries Board, subject to the confirmation of the Secretary for Scotland, to re-open particular waters to the trawlers. That is found necessary, among other reasons, because there are certain classes of fish which cannot be taken except by trawlers, and by them only at certain seasons of the year. Those are the main principles of this Bill, but there are subsidiary clauses to which I would just like to refer for one moment, especially Clause 4. Clause 4 provides for the use of cran or quarter cran measures. That does not apply in any sense to the measures for sale by the fish-curers to general customers; it simply refers to the measures to be used in the sale by the fishermen themselves to the fish curers. The object of the alteration of the law is simply this: at present fish is generally in baskets containing crans of 37½ gallons, but it is found that these crans or baskets when they get old undergo a very great alteration in their size and capacity, and by this Bill a fixed and standard measure is provided, by which, under penalties, the sale of herrings is to be regulated. I do not propose to load this Bill with any clauses with reference to another matter, but I think I may find it necessary on a future occasion to ask your Lordships to deal with it—I mean the regulation of the measures under which the fish curers sell their fish into foreign markets. The question is a complicated one, and as it is not included in this Bill, I will not further refer to it now. Clause 5 has been put in entirely at the wish of those who are interested in the subject to which it refers. It renders illegal daylight fishing, and Sunday fishing. It has been found that the fishers of the Clyde district wish that there shall be no Sunday fishing, and the clause refers only to a limited district. I do not think there is any other clause to which I need call your Lordships' attention, and I will now ask your Lordships to give the Bill a Second Reading.

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Moved, "That the Bill be now read 2ª."—(*The Marquess of Lothian.*)

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THE PRIME MINISTER AND SECRETARY OF STATE FOR FOREIGN AFFAIRS (The Marquess of SALISBURY): I do not quite admit the correctness of that supposition.

THE EARL OF CARNARVON: I have the precise words here, but I do not think my noble Friend will say that I have put any gloss upon them. I will quote the words of the Article. The exact words are—

"That if Batoum, and certain other places, shall be taken by Russia, or any attempt shall be made by Russia to take possession of any further territories of His Imperial Majesty the Sultan in Asia, as defined by the Treaty of Peace, England engages, jointly with His Imperial Majesty the Sultan, in defending them by force of arms. In return His Imperial Majesty the Sultan promises to England to introduce the necessary reforms (to be agreed upon later between the two Powers) into the Government for the protection of the Christian and other subjects of the Porte in those territories."

Those are the words of the Treaty, and in consideration of all this, and as part of the conditions, the Island of Cyprus was assigned under certain conditions to this country. Those, my Lords, are the obligations in reference to this important subject by which England is bound; and my noble Friend, as I gather from his interruption, means to imply that that Article did not cover the case of the Armenians, but only the other Christian subjects of the Porte.

THE MARQUESS OF SALISBURY: I did not say that. I say it covers them all.

THE EARL OF CARNARVON: That is sufficient for my purpose. My Lords, there are a great many difficult questions that arise out of these engagements; but I wish to confine myself to a statement of the facts which are alleged with regard to affairs in Armenia. I say, the facts that are "alleged," because I am not in a position—and no man in this country is in a position—to affirm positively that what I am about to state has occurred; but there can be little doubt that a large part of those facts are correct, and it is for the Porte perhaps, in the first instance, and it is certainly also for Her Majesty's Government, to tell us how far, in their opinion, those facts are correct or not. What are they? I have dealt with them on a former occasion, and my noble Friend touched upon the outrages committed upon the Armenian people by the wild and savage Kurdish tribes. It is true that those tribes did descend from the mountains. They overran the whole country, and they constantly committed atrocities; but the allegation now is that those atrocities and outrages have risen to an almost intolerable degree, that property is plundered right and left, that flocks are carried off, crops destroyed, churches desecrated, even villages ruined, and that men are made prisoners and carried off and tortured. There are cases which are alleged where they have been horribly burned alive. Further, it is alleged that women have been carried away and consigned to the worst fate. Years ago it was my fortune to travel through the whole of that country, and I saw it when it was revolting from a state of persecution as great at least as those which are now alleged. There was then a monster, a devil in human shape, who made his name known far and wide through those regions, and who glorified in the infamies of which he was the author. That man was practically stopped in his career of crime by the action of my noble Friend Lord Stratford de Redcliffe. My noble Friend, at that time, made his name felt in the depths of the Kurdish mountains, and the wild mountaineers trembled at the name of England. The oppression came to an end. There is another man at this moment who seems disposed to re-introduce the part of that villian to whom I have alluded; and it is time, I think, that English influence at Constantinople should make itself felt as it made itself felt in the time of Lord Stratford de Redcliffe. But probably I shall be told that there is an appeal from these local miseries. There is an old Scotch saying, "It is a far cry to Loch Awe"; and so here it is a far cry to Constantinople. A cry has been made to Constantinople; but although officials are on the spot where redress is really needed no punishment, as far as I can understand, has ever taken place. It is alleged that there is a tacit acquiescence which is construed into encouragement. It has been even affirmed that arms have been supplied by the Turkish Local Authorities to the Kurdish police, the traditional enemies of the Armenians, and those arms could only be used in one particular manner. It is also affirmed that the

harems of the transgressors are at this moment filled with the unfortunate women who have been carried off. Complaint is represented as rebellion. The prisons are full, it is said, of persons who have the greatest cause of complaint. Do your Lordships ever try to imagine what an Oriental prison really is? I have seen many of them. The prison is a horrible hole, a dark noisome den; yet into those dens are thrust many of these unfortunate people who have committed no crime except to complain of the wrongs done to them. In those dens the people languish From those dens they sometimes never emerge; in them they perish, or are sent into exile. There is a case which has been cited far and wide, and which, as far as I know, has not been denied. It is that of a young Armenian 16 years of age, who was foolish enough to write a patriotic song. He did not publish it; he simply wrote it; but this young man was seized and committed to one of these prisons, where, after a few months, he died. The schoolmaster, too, from whose school this young man had been taken, and who had seen the poem, but had not in any way, as I understand, assisted in making it, was punished, I believe, by being sent into exile. The fact is, that it is a great system of terrorism which is alleged to be going on in those distant parts. Domiciliary visits are being made everywhere. But it is not merely the property, the life, and the liberty of the people which have been thus dealt with, but even the literature and religion of these unfortunate people are now subject to oppression. It is said that their liturges are everywhere being hunted up and burned, that their religion is placed as far as it can be under a ban. It is also said that contrary to the articles I have quoted in those treaties not only are the Circassians and the Kurds not restrained, but that the Circassians are at this moment being imported into the country and formed into settlements there. The report has gone far and wide through the province—I cannot vouch for the accuracy of the fact—that they are a doomed people, and that the authorities they should look to for protection have sworn to some plan of extermination against them. The Porte, as I gathered from my noble Friend the other night, denies these facts, but it offers no evidence in support of its denial. They have repeatedly made assurances of reform. They have promised religious toleration, equality before the law, equality of taxation, admission to the Army and the police, and so forth. Yet your Lordships know, as all Europe knows, that those were idle words. They have never been carried into fulfilment. There is a system of venality; there is a total absence of justice; and practically, whatever the letter of the law may say, the testimony of a Christian is not received. The Prime Minister knows that not very long ago the Ambassador of the Porte came to him and preferred one of the most marvellous requests which have been made for many a long year to any English Minister. There is a newspaper, printed partly in French and partly in Armenian, in this town in which the grievances of this people are set forth. That paper has a considerable circulation, and the Turkish Ambassador was so ignorant of the English Constitution that he ventured to request my noble Friend to suppress that paper. My noble Friend, of course, could only return one answer—that the request showed gross ignorance of the laws and customs of England. My Lords, I maintain that proofs are easy. The Turkish Government could disprove every one of the facts, for which, of course, I do not vouch, but which have been alleged over and over again in a more or less authoritative form, and which have not been, so far as I know, denied. The Turkish Government refuse to prove their innocence. Her Majesty's Government can practically give the House those proofs. We have an able and competent Ambassador at Constantinople who, doubtless, has the confidence of Her Majesty's Government. It is time, therefore, that we should know whether what I have stated is correct or not, whether the engagements which this country has entered into have been grossly falsified by the action of the local and the central authorities in Turkey. There is discredit and danger in either silence or delay. There are the sounds of a great storm rumbling in the Eastern parts of Europe, but there is an equal provision of combustibles stored up in the Asiatic provinces of Turkey. Let us beware that our hopes are not rudely broken by finding

the existence of some Asiatic Bulgaria. In 1878 these words were written:—

"Her Majesty's Government intimated to the Porte that they were not prepared to sanction misgovernment and oppression, and it will be requisite, before they can enter into any agreement for the defence of the Asiatic territories of the Porte in certain eventualities, that they should be formally assured of the intention of the Porte to introduce the necessary reforms into the government of the Christian and other subjects of the Porte in these regions. . . . The Government of the Ottoman dynasty is that of an ancient but still alien conqueror, resting more upon actual power than upon the sympathies of common nationality. . . If the population of Syria, Asia Minor, and Mesopotamia see that the Porte has no guarantee for its continued existence but its own strength, they will, after the evidence which recent events have furnished of the frailty of that reliance, begin to calculate upon the speedy fall of the Ottoman domination, and to turn their eyes towards its successor."

I can add nothing to those words. They are pregnant with meaning. They were written with a full sense of the difficulties of the time and the dangers of the future. They are the words of my noble Friend the Prime Minister on the 30th of May, 1878, to Mr. Layard, when my noble Friend was Foreign Secretary. I wish that the Porte had taken them to heart; but if it persists in closing its eyes and its ears, if it will neither learn nor forget, then it blinds itself to the great risk of a million of Christian inhabitants, ground down by misery and oppression, seething with discontent, on one side of the border, while, on the other side, there is an equal number enjoying, at all events, under a different Sovereign, comparative security for life and property. It is a dangerous contrast for Europe, dangerous for Turkey, and dangerous for ourselves, and it is the duty of Her Majesty's Government not merely to enlighten the country as to the real facts of the case, but to use its influence in the interests of this down-trodden people in the redemption of the pledges given by this country, and in order to avert a general conflagration, the magnitude and outcome of which no man can foretell.

*The Archbishop of CANTERBURY: The noble Earl has dealt with such fulness with this subject that I need not detain your Lordships by making many observations; but I do desire to urge that we are simply expressing, I believe, the feelings of the great mass of English Churchmen and of the English people when we appeal to the Government to do what we believe they can do. I think I should be wanting in my duty and in my own sense of gratitude if I do not, in the first instance, express the obligations which we all feel to the Government for the effective help which it has given in the same province against the same system. The Province of Hakkiari was incorporated lately with the Province of Van, and forms now the southern part of that province. It is in Hakkiari chiefly that I am personally interested, because there is a quietly working mission in that part of the Province of Van which has abstained from all interference in public affairs, and which has leave, chiefly through the good offices of the Ministry, to promote the education of children and the education of the clergy. Under their oppressions they were rapidly falling so low that many of their priests could only read the Liturgy, and many could scarcely even do that. But I do not quote the Missionaries, because it is understood that they are not to take part in public affairs, and they faithfully fulfil that obligation even in the report to me; but there are published the reports of travellers who have recently visited those regions. The southern part of the province is not exactly on the same footing as the northern, for this single reason—that the Chaldeans or the Assyrians who inhabit the southern portion are a more martial people than the Armenians, and they are not quite so open to oppression. But the same system is brought to bear upon them, and there are eye-witnesses in England who describe the same occurrences in the southern part of the province as in the northern. It is related how the sale of villages is carried on, the inhabitants, who have lived there since the days of Nimrod, being asked to produce their title deeds. Failing to do so, the villages are put up for sale, and invariably sold to the Kurds, although higher prices are offered by the Assyrians. Churches are desecrated and ruined, and in December of last year an outrage of a most atrocious character was committed. Two or three men with several hundred women were on the upper pastures, when a raid was made. Many of the women were ravished, some were killed, and all were stripped, and those not killed were driven back to their homes through the open country.

So outraged were the feelings of the Tyari, the tribe thus visited, that there was a great gathering of their men, provoking in turn the assembling of 6,000 or 7,000 Kurds. Representations were then made by Her Majesty's Government to the Porte, with the result that a few troops were marched through the province, and the Kurds dispersed in all directions. What has thus been done once can be done again. The same stories come from the northern part of the province, except that the oppressions are fiercer and stronger. There can be no doubt that the settling of Circassians is taking place among the Armenians, and that boys and girls are carried off under the pretence that they have embraced the Mussulman faith. Christian evidence is refused, men are tortured, and villages are burned, and there has been no contradiction of the story of a village having being burned and of the inhabitants having been driven back into it. The sources of information at the disposal of the public are the accounts of travellers and of American missionaries, and of the Armenians themselves, and these sources agree in regard to the terror and the constancy of the outrages inflicted. But where are the Reports of the British Consuls from which, if the accounts already received are exaggerated, the truth could at least be learned? No Consular Reports from Armenia have been published since 1881. It has been urged, as a reason for their non-publication, that it would be unwise to expose the feebleness of the Turkish officials. But, when feebleness results in the miseries of hundreds of people, that is a feebleness which needs bracing, and which I believe can be best braced by the influence of public opinion. The state of things is such that the Pope of Rome has addressed the Armenian Church through its authorities asking that it should be placed under the Church of Rome. There has never been a nobler answer than that of the Armenian Bishop to this tempting proposal. He declined to purchase even an absolute protection at the price of the surrender of his faith and his Church. My Lords, there is such a thing as a Christendom still, and Russia, and Italy, and France, too, recognize that Christendom in all parts of the world; and surely the Christendom which dwells in Armenia ought to be recognized by us. I believe that of all Churches the Armenian is the nearest to the English; and by reason of their virtues the Armenians are increasing in spite of their oppression, while their masters are decreasing. Humanity as well as Christendom calls upon the English people to speak. The Turkish Government have reported no improvement in the treatment of these subjects during the 11 years which have elapsed since the Treaty of Berlin; on the contrary, there has been a slow decline from worse to worse. This country can bring great influence to bear, and any success, however small, would be better than a perpetual retrogression. I know the difficulties that exist in dealing with such a Power as Turkey; but, at least, in this matter there are no difficulties within, there are no difficulties on account of Party feeling or differences of opinion, for all the people of England are of one mind upon this subject.

*THE MARQUESS OF SALISBURY: My Lords, the speeches of my noble Friend and the most rev. Prelate, which express the sentiments that animate them in bringing forward this subject, cannot fail to create sympathy in every breast for those who are the victims of any such horrors as the two speakers who have addressed your Lordships have described. Whether their colours are too vivid or not I will speak of in a moment; but it is impossible not to feel moved by the recital of sorrows such as they have spoken of, even if that recital is not fully sustained by the facts; and the emotions which we feel will be intensified when we recollect, as the most rev. Prelate has impressed upon us, that the victims are fellow religionists of our own, belonging to an ancient people who have shown remarkable steadfastness in adhering to their nationality and their faith. But, standing in the position I do, to me the first subject of consideration is whether these facts can justly be brought forward as any reproach to Her Majesty's Government. Unhappily, the world is full of spots where similar horrors to those which have been painted are enacted. It is not only in Turkey that such prisons as my noble Friend has described in such gloomy colours are to be found. In the east and in the west we shall find, if we choose to look for it, abun-

dant cause for our sympathy, abundant subjects for eloquent and mournful descriptions, such as those to which we have listened. But the question for us here, forming part of the governing machinery of this country, is how far this country can accept any responsibility for such events? Now, there was a fallacy which seemed to me to pervade the speech of my noble Friend against which I am bound to protest. He recited two Instruments in which certain engagements were made with Her Majesty's Government, and he proceeded in the rest of his speech to speak of these as if they were engagements made by Her Majesty's Government. The Porte, no doubt, has made to us and the other Powers certain engagements. I cannot admit—although, of course, we should wish that those engagements should be fulfilled, and under certain circumstances might go further than wishing—that the fact that we have accepted such promises from the Porte constitutes an obligation on us to see that these promises are fulfilled, or makes us guilty if they are not fulfilled. Such a doctrine would lay an intolerable burden upon this country. It would make it impossible for us to accept from any Power assurances of any improvement or any reform in administration, for we should immediately cast upon this country the responsibility of seeing and insuring by the use of all its force that those promises were fulfilled. That is an obligation which it is impossible for us to accept. Then, my noble Friend impliedly laid upon us another obligation by the tale he told of the success of Lord Stratford de Redcliffe's intervention a great number of years ago. He implied that the influence of this country was so great at Constantinople that if anything went wrong there we were participators in the crime and were parties to all that was done by the Turkish Government. I cannot accept such a description of things as to this country. Turkey is not a ward under the guardianship of England. Before the war of 1877, undoubtedly our influence was very considerable. It was an influence earned, as all such influences by payment in acts of protection. It was earned by what we did in the Crimean War. In 1877, however, we adopted a different policy. My noble Friend was as responsible for that policy as I was. We did not protect Turkey when she was attacked. The consequence is that there is not the slightest ground for saying that we now possess the influence which, in consequence of a totally different policy and line of conduct, Lord Stratford de Redcliffe possessed in past time. I have no doubt we possess at Constantinople such influence as other friendly Powers possess—the influence of a friendly Power; but we cannot say that we are the protectors of Turkey, or that the influence of a guardian over his ward is one that we can claim to exercise. I repudiate, therefore, most distinctly any responsibility on the part of Her Majesty's Government for these matters which may have taken place in the East. Of course, I do not repudiate our common duty to Christianity and humanity—our duty to make every effort we can in any part of the world in which we have the opportunity and power in order to ameliorate the condition of our fellow Christians or our fellow men. That is a duty which must always lie upon us. But what I am denying, is that there is any special duty lying upon us with respect to the populations of the interior of Asiatic Turkey. Now, with reference to the facts of the case, I speak with much more hesitation. The Turkish Ambassador has denied most categorically, and he has repeated that denial, some of the accusations that have been made. But my noble Friend says that it is open to the Turkish Government to repudiate those charges and that they must prove their innocence. I am glad that my noble Friend does not preside over the system of justice in this country. I always imagined that it was the business of the accusers in this country to prove their case, and to show that there is *primâ facie* ground for believing the thing they state to have happened. The Turkish Government repel these accusations of terrible horrors with indignation. They do not deny, they cannot deny, that the territories of which we are speaking are subject to the scourge of lawlessness, to the invasions of mountaineers who are mere brigands and caterans, who have no object but the satisfaction of their own passions and their own greed, and who are unrestrained by any scruple. Such men as these Kurds would be a scourge to any country. No doubt the ravages of

these men occur, and you may, if you please, blame the Turkish Government because it does not take more effective means for protecting its subjects from these attacks. Undoubtedly, no Government which fails to do that fulfils all the duties of its position. But you must remember in the case of the Turkish Government that it is a Government which is feeble and poor—feeble and poor not exclusively by its own fault. It has been made feeble and poor by the action of others; and if throughout the Turkish dominions men suffer because there are not sufficient resources to carry on the duties of government, I do not think the historian will say that the responsibility is exclusively to be attached to the Turkish Government. My Lords, the most rev. Prelate has asked for the Consular Papers. It is a very reasonable request, and I hope to be able to give him a considerable number of Papers. I do not doubt that they will show the existence of considerable lawlessness. I am afraid the Government of Turkey is not destitute in its lower branches of agents of oppression; but I do not think they will show any complicity by the Central Government in any of these acts. They will show an indignant repudiation of the grosser accusations, and they will lead mainly to the conviction that the sorrows, deep and real as they are, of the subjects in the interior of Asiatic Turkey, are due more to the feebleness of the Government than to any ill-will which can be laid to their charge. On the contrary, I think it is obvious, if you consider all the circumstances which preceded the last war—the enormous interest which Turkey has in preventing the growth of any such causes of attack as existed 12 or 13 years ago—I think on grounds of mere common sense you will acquit the Turkish rulers of any desire to create a state of things that may result in a similar calamity. My Lords, the question is, what is the remedy to be applied? My noble Friend and the most rev. Prelate spoke much of the fanaticism of the Kurds and Turks and Circassians, as though that were the fault of the Turkish Government, and they had created these people and made them fanatics. Should they not invert the process, and recognize the fact that it is the nature and passions of these people which are the important circumstances of the case; and that the authority and power of the Turkish Government are as nothing compared with these steady tendencies of races which for centuries past have been brought up in all the traditions of race and religious animosities. The curse which applies to all these countries is the complete division which separates the populations. It is not only a division of creed, it is a division of race, and it is a division aggravated by the traditions and the recollections of long years of struggle and of sufferings mutually inflicted; and it is because I think more of the effect that our action and policy and discussions here may have upon these poor people than they may have upon the Government—it is because I recognize the inhabitants of these countries as the important agents, and look upon any scheme of the Government as a matter of comparatively light moment, that I rather regret the policy which my noble Friend and the most rev. Prelate have adopted. Remember, you have not only Christians to deal with. I believe in these provinces the Christians are by very far the minority of the population. You have by their side a Mahomedan population fanatically attached to their religion and to their Sultan—believing that the Christians are engaged in a conspiracy for bringing them under the rule of an alien and Christian Power. They will make any exertion and will shrink from no measures of severity in order to avert what would be to them a calamity so terrible. The Christian and Mahomedan populations are not only separated by race and religion, but while the Turks are regarded by the Christians as oppressors, by the Turks the Christians are regarded as the conspirators who are slowly eating out the strength of the Empire and are bringing province after province under the rule of a Christian Power. There are those two sections of the population standing face to face, with their suspicions and their hatreds and their distrusts, and the more you make them the subject of public discussion, the more you encourage the one side and bring reproach upon the other, the more the effect will be that you will exasperate these divisions to which all these calamities are due, and that you will really lend force and fire and fury to

this fanaticism and these outrages which are mainly the result of creed, and the only consequence of your interference will be that while the Government is powerless to offer any genuine remedy the Christians and the Turks will hate each other more and more, and will inflict upon one another all the evil they possibly can. I urge therefore, my Lords, that you should rather trust to the slow action of time, to the very beneficent action of those devoted Christians who from this country and from America have adventured themselves into those regions, and to the slow and gentle action of public opinion; but that you should not urge the Government or urge Parliament by loud and unmeasured expressions of horror which are not always justified by the facts, you should not rouse and exasperate the very passions which have led to the mischiefs you so much deplore.

THE *ASTRACANA* IN COWES ROADS.

QUESTION.—OBSERVATIONS.

*LORD COLVILLE OF CULROSS, in rising to ask whether the Board of Trade will take the steps necessary to require the Trinity Corporation to remove from Cowes Roads the remains of the hull of the ship *Astracana*, 1,400 tons burthen, which was towed in by their officials from the Channel, and deposited there on the 3rd January last, the said hull being a danger to navigation, and occupying a large portion of the best anchorage for trading and small vessels in Cowes Roads, said: It will be known to most of your Lordships that the vessel to which my question relates was sunk in a collision with another vessel about mid-channel with her keel up and all her masts standing under water. She became a standing danger to the navigation of the Channel, and the Corporation of the Trinity, as in duty bound, proceeded to try to get hold of the wreck and destroy it. They found her, I believe, off Beachy Head, and they commenced to try to destroy her by dynamite. They partially succeeded, but they only blew her stern out. Unfortunately, instead of completing the act of destruction in deep water, the Trinity towed the vessel into Cowes Roads on the 3rd January, and deposited her in the most sheltered and convenient passage for vessels of moderate draught in that harbour. I am told that the Trinity have been offered £400 for the wreck and the cargo, but they have refused to accept it. After discharging the cargo the Trinity recommenced the work of destruction; but in consequence of the absence, through illness, of their principal diver, the work was suspended. By this time the Local Board of Cowes petitioned the Board of Trade that they should have this wreck removed. Perhaps I may be anticipating the answer that I shall receive from my noble Friend who will reply for the Board of Trade; but I will read the letter which the Trinity House addressed to the Board of Trade, who had forwarded a complaint from Cowes as to this wreck—

"I am directed by the Board to acknowledge the receipt of your letter dated 29th ultimo (H 4253) transmitting a copy of a letter from Messrs. Winther and Co., of Cowes, on the subject of the wreck *Astracana*, and requesting that the Board of Trade may be furnished with the observations of the Elder Brethren thereon. In reply, I am to state that, as soon as the wreck could be secured and the cargo recovered therefrom, steps were taken to disperse the hull of the vessel without loss of time; but some delay occurred through the sudden illness of the diver employed upon the work. As the result of the operations undertaken, no part of the vessel is now more than two feet above the ground, while there is 14 feet of water over the outside, and 11 feet over the inside portion of the wreck. A wreck buoy has been laid over the centre of the remains, and a cautionary notice to mariners (No. 15) issued against anchoring within a space of thirty fathoms therefrom. No doubt inconvenience may be felt from the restriction thus imposed as to anchorage in a locality so frequented by yachts and other small craft, and this circumstance the Elder Brethren much regret. There is, however, every reason to suppose that even the portions of the vessel standing above the mud are sinking quickly into it, the ground being already perfectly level over the wreck in some places. Looking at the manner in which the vessel has been already dealt with, and the large expenditure incurred, as well as to the fact that a very considerable sum might yet be spent in rendering the spot absolutely free for anchorage, the Elder Brethren do not feel justified in putting the Mercantile Marine Fund to further expense, being advised, in fact, that all that is reasonably necessary in the matter has been done."

When the Trinity abstained from further attempts to remove the wreck they placed a buoy over her, and published a cautional notice, which I hold in my hand, "that no vessels were to anchor within the range of 30 fathoms of the buoy." Now,

my Lords, that is all very well in daylight, but there is no light over the wreck at night, and any vessel going into Cowes Roads, and anchoring in what is considered to be the best anchoring ground in the harbour, would probably find her anchor fouled, and never recover it again. I demur to the statement in that letter that the wreck is sinking into the mud. Those who know the locality far better than the Trinity do consider that a shoal is being formed over the wreck and over the two or three hundred tons of stone which formed the ballast of the vessel. I observe that last night in another place the President of the Board of Trade, in answering a question upon this subject, said that there was nothing of the wreck above the level of the sand. This is in direct contradiction with the notice issued by the Trinity, in which they say that a small portion of the wreck is in some places two feet above the mud. This very caution issued by the Trinity against vessels anchoring within 30 fathoms of the buoy indicates that an area of about 2½ acres of the very best anchorage in Cowes Harbour is rendered dangerous and useless. The President of the Board of Trade said in answer last night that he had recently seen the spot, and that he did not think trading vessels would be inconvenienced, although a few yachts might be at certain states of the tide. I speak from upwards of thirty-five years' experience of Cowes, where I have a residence. At this time of the year no doubt there are a great many yachts to be seen there, but if you go there in the winter you will probably not see one; but this particular anchorage is much used by coasting vessels, because they can there have shelter in all weathers, and lay out for the strong tide which runs through Cowes Roads. I think the noble Lord opposite (Lord Brassey), who is a great authority on such matters, will bear me out that the anchorage which has been destroyed is the best anchorage in Cowes Harbour for coasting vessels in bad weather. The upshot of the matter is that the Trinity Corporation, the supreme power to protect our harbours, have by their own act in not destroying this derelict in the English Channel, but depositing her in a much frequented anchorage, created an obstacle which it is their bounden duty to remove. Had this happened in the Thames or in the Mersey, I ask your Lordships how long they would have been suffered to let that wreck remain there? Notwithstanding the unsatisfactory answer given last night by the President of the Board of Trade, I do trust that my noble Friend who represents that Department in this House will say that it is the duty of the Board of Trade to compel the Trinity to restore the anchorage which they have destroyed into its wonted condition.

LORD BRASSEY: Before the noble Lord replies, I think it my duty to say that the question which the noble Lord has brought forward is not a question which mainly affects yachtsmen. In the stormy months of winter the Cowes Roads are very much frequented by small coasting vessels—a class of vessels which well deserve consideration and protection.

*LORD BALFOUR: The day after my noble Friend put this question on the Paper, a communication was addressed to the Trinity House, enclosing a copy of the question, and asking to be placed in possession of the views of Trinity House upon the subject. I am authorized to read, for the information of the noble Lord and of the House, the following communication, which has been received in reply:—

"The duty of removing wrecks dangerous to navigation is laid on the Trinity House by an Act passed in 1877. The wreck *Astracana* was reported floating bottom up in the English Channel, a most serious danger to life and property. Trinity House vessels were sent in search, found it on 30th December, and tried to sink it in deep water, but being laden with oil in casks, the vessel would not sink. Waterlogged and unmanageable, it was with great difficulty, and after several days' work, towed out of the way of navigation on the 3rd January into Cowes Roads, that being the nearest place suitable for operations of breaking up and salvage. These were carried on with all possible diligence, although under great difficulties, and it is now (25th June) ascertained that nothing remains of the wreck which could occasion damage to passing navigation, there being 17 feet clear all over her at low water spring tides, and nothing above the level of the sand. To remove the buried remains would be a very costly proceeding, and although for a time the anchorage for a space of about 70 feet by 30 feet will be to some extent foul, only small vessels could anchor there, and a buoy is placed to warn them."

I am instructed also to add that in cases where, as in this case, the proceeds of the

sale of the cargo are sufficient to meet all the expenses incurred by Trinity House, the Board of Trade has no authority or control in the matter. The question seems to imply that the wreck was deposited voluntarily in the place where it now unfortunately lies. It was, in fact, not the intention of the Trinity House, or its officers, to place the wreck there. They were endeavouring to take the wreck to a more suitable place, and to their regret it became unmanageable and sunk in the Cowes Roads. In consequence of the concluding remarks of the noble Lord, I am bound to point out that the discretion in this matter does not rest with the Board of Trade, but lies upon Trinity House. The Act of 1877 distinctly places all responsibility for the removal of wrecks upon one of two bodies. Where the wreck is lying in a place which is under the control of the Harbour or Conservancy Authorities, the responsibility is placed upon the Harbour or Conservancy Authorities. Where, as in this case, there is no Harbour or Conservancy Authority responsible for the particular spot in question, the duty of removing the wreck is, in the words of the 5th section of the Act, "placed upon the Lighthouse Authority of that part of the United Kingdom," and that for England is, as your Lordships know, the Trinity House. The authority of the Board of Trade only comes in if the proceeds of the sale of the material of the vessel or the cargo recovered is insufficient to meet the cost of the operations. The Trinity House is the authority for saying whether those operations are necessary; but if money is required in addition to the value of the salvage recovered, the Authority of the Board of Trade is called in to sanction an application from the Mercantile Marine Fund. I very greatly regret that this vessel should be lying where it is; but I hope that after what I have said the noble Lord will understand clearly that in this matter the responsibility rests not with the Board of Trade, but with Trinity House, to take whatever steps are necessary.

*LORD COLVILLE OF CULROSS: Am I to understand from my noble Friend that the Board of Trade cannot put any pressure whatever upon the Trinity to enforce them to remove the obstruction which they themselves have placed in Cowes Harbour?

*LORD BALFOUR: The Board of Trade have no authority under the Act to deal with such a matter at all, unless and until a demand is made upon them by the Trinity House for authority to apply some portion of the Mercantile Marine Fund for the purpose. Any pressure which has to be brought in the matter ought, therefore, to be brought upon the Elder Brethren of Trinity House.

*LORD NORTON: As I take a great interest in Trinity House, I asked for particulars from them of this subject, and their Report to me to-day is that since that Report of the 23rd of May they have been continuing to clear the place, and the whole obstruction will be cleared away as quickly as possible. The space of foul anchorage is now reduced to 70 feet by 30.

BRIBERY (PUBLIC BODIES) PREVENTION BILL. (No. 90.)

SECOND READING.

LORD HERSCHELL: I need detain your Lordships but a very few moments in moving the Second Reading of this Bill. Circumstances, which will be fresh in the recollection of your Lordships, have shown that bribery, or the attempts to corrupt the members of Public Boards or officials connected with them, have been a source of very considerable evil. This Bill attempts to deal with the matter by rendering either a bribe or an attempt to bribe a member of any Public Body or an official of such body a misdemeanour, and making it punishable accordingly with fine or imprisonment or both. I do not think your Lordships will entertain any doubt that it is right that such a punishment should be inflicted, and that an attempt should be made to deter in future persons committing acts of the kind, which has been proved to be extremely mischievous in the past. I need not trouble your Lordships by entering upon any of the details of the Bill. I think myself there are some small amendments of it which will probably be necessary; but it is not needful for me to enter upon these in moving the Second Reading.

Bill read 2ª (according to order), and committed to the Standing Committee for Bills relating to Law, &c.

CONSOLIDATED FUND (No. 3) BILL.
(No. 117.)

Read 2ª (according to order), and committed to a Committee of the Whole House on Monday next.

House adjourned at a quarter past Six o'clock, to Monday next, a quarter before Eleven o'clock.

HOUSE OF COMMONS,

Friday, 28th June, 1889.

PRIVATE BUSINESS.

NORTH-EASTERN RAILWAY BILL.
(*By Order*).

Order for Consideration, read.

MR. BROADHURST (Nottingham) moved to add to Clause 31 the words—

"That if any such Pension Fund be formed it shall not be made obligatory upon any person to join it, nor shall joining it be a condition of employment, nor a condition on which the rate of wages to be paid to any person shall be fixed on."

The hon. Member said: It will be noted that my objection is limited to Clause 31 of this Bill, which enables the North-Eastern Railway Company, under certain circumstances, to establish a Pension Fund, and the fear the railway servants have in regard to this clause is that if such a Pension Fund is established it must, by a system of coercion—of mild coercion—on the part of the permanent officials, lead to the compulsory membership of the railway servants in this institution. Recent experience has proved that railway servants, as a rule, would much rather be left with perfect freedom of action as to what societies or institutions they may join for the purpose of securing themselves against sickness, accident, or death. Hence, the Railway Servants Society desire that an Amendment should be inserted in this clause for the purpose of safe-guarding them against any force, however mild, that may possibly be used to compel those in the employ of the railway company to join any such fund that may be established. I am aware that in another place the actual power of compulsion has been struck out of this clause. At the same time, in the opinion of those concerned, the clause, if left in its present shape, would practically give the company the power of compulsion, which the workmen desire that the company should not possess. I need not express my confidence in the directors of the North-Eastern Company so far as we know them in this House, nor in the absolute *bona fides* of their declaration that no force or compulsion will be used in any such undertaking; but unfortunately, if this Bill is passed without a statement to the contrary or without an addition to the clause such as I have placed upon the Paper, the work would pass out of the hands of the directors into that of the managers, foremen, and superintendents of one class or another, who might successfully evade the wishes of the directors to comply with the spirit of the clause, and might use it in a way which might be objectionable. Under the circumstances I would ask the House to agree to this Amendment, unless those in charge of the Bill have some statement to make showing the House that the fears I have expressed are entirely groundless. Unless the hon. Gentlemen who are here as the promoters of the Bill will make such a declaration as can be quoted in the future in favour of my contention for the freedom of the men in these matters I shall certainly carry the Amendment to a Division.

MR. M'LAREN (Cheshire, Crewe): I beg to second the Amendment, and in doing so I wish to call the attention of the House to this one fact, which I think the hon. Member for Nottingham (Mr. Broadhurst) has overlooked—namely, that whatever may be at present the intention of the directors—and I am quite ready to accept any assurance they may give—we must not ignore the fact that in the Bill as originally brought into Parliament the directors took powers of the most stringent character to enforce this provision upon their workmen. The clause as originally drawn by them was to the effect that the directors should have power to determine what class of servants of the Company should be required to contribute to the fund. Although they have abandoned these powers, still we have this evidence of their primary desire to possess them. However that may be, I

think, considering that we now know what was the original intention of the Company, we are perfectly justified in asking that this Amendment shall be accepted. We know also that pension funds are not popular with the workmen; and in the case of another Company where these powers were compulsory and the men were compelled to join the Society, they have recently, after five years' experience, abolished them by a vote of 12,000 to 900. That is ample evidence that these funds are not desired by the workmen themselves. I should have been glad if the whole of this clause had been struck out of the Bill, because I disapprove of it entirely, on principle; but I shall feel satisfied if the Amendment of my hon. Friend is passed.

Motion made, and Question proposed, Clause 31, page 19, line 20, after "provided," insert—

"That if any such pension fund be formed it shall not be made obligatory upon any person to join it, nor shall joining it be a condition of employment, nor a condition on which the rate of wages to be paid to any person shall be fixed on."—(*Mr. Broadhurst.*)

Question proposed, "That those words be there inserted."

*Sir JOSEPH PEASE (Durham, Barnard Castle): As one of the Members in charge of the Bill, and having had a good deal to do with the clause itself, perhaps I may be allowed to say a few words in explanation. I desire to oppose the introduction of the words proposed in the Amendment, because I think they are not at all required. If anybody else but my hon. Friend the Member for Nottingham had suggested the Amendment I should have thought that we were being rather badly treated in the matter, because the Bill is now in its last stage. Yet at this point it is proposed to introduce these words. But knowing the warm interest which my hon. Friend has always taken in these matters, I do not blame him for his action. It is perfectly true, as stated by my hon. Friend the Member for Crewe (Mr. M'Laren), that when the Bill was introduced the clause was of a compulsory character. He and the hon. Member for Nottingham were good enough to call my attention to it, and I told them both frankly that I was quite certain the words had crept in from some other Act of Parliament, and that it was not the intention of the Board to make it a condition of hiring or a condition of dismissal. In framing the clause as it stands to-day, we have some important precedents before us of such subscriptions. There is the precedent of the Northumberland and Durham Miners' Association, which now numbers 95,000. These men are all enrolled of their own accord, and the colliery owners contribute various sums of money to the funds of the Association. The idea of the North Eastern Board was that such a society must be necessarily voluntary on the part of the men. They knew sufficient to tell them that working men would not be drummed into provident societies; but that such organizations must come from the spontaneous action of the men themselves. The House will see at once that the clause as it stands is simply a permissive clause, allowing the Company to contribute to any pension fund for the payment of pensions and retiring allowances. It goes no further. If the words in the Amendment are inserted, I think we should have some right of complaint, because if they are wanted with regard to the North Eastern Company, they are wanted in the case of every other company. All that is intended by the Amendment is, however, met by the Truck Act. Under the provisions of that Act, no employer can make it a condition of time that a man shall join a Provident Society, or become a member of a Provident Society, because that would imply that he must subscribe to that society and that would be the "manner in which part of his wages were to be spent." Therefore, I submitted to my hon. Friend and to the House, that the Truck Act perfectly meets the point If the assurances of myself and my Colleagues in this House who are on the North Eastern Board are of any service, I can inform the House that that Board has not the slightest desire to force any man into thrift or habits of economy, but if a man can be helped into them it is entirely another matter. I hope this explanation will satisfy my hon. Friends, the mover and seconder of the Amendment.

Mr. BROADHURST: After the emphatic declaration of the hon. Baronet, which I understand is entirely acquiesced in by his colleagues in the directorate of the North Eastern Rail-

way, and after his acceptation of the terms of Section 6 of the Truck Act, 1887, I do not think I should be well advised in putting the House to the trouble of a division on the subject, and I will, therefore, ask leave to withdraw my Amendment.

Question proposed, "That the Amendment be, by leave, withdrawn."

MR. STOREY (Sunderland): I do not think that the Truck Act in the slightest degree covers the concluding words of the Amendment—

"Nor a condition in which the rate of wages to be paid to any person shall be fixed nor"

Without the insertion in the clause of the words of the Amendment, it would be perfectly competent for the Directors of the North Eastern Railway to fix their rate of wages for certain classes of their servants upon the conditions that they should join this fund. I do not say that they would, and as long as my hon. Friend (Sir J. Pease) in any way controls the affairs of the Company, I do not think they will do so. But I make these observations coming from a part of the country in which the North Eastern Company are all powerful—not because I believe the present Directors are desirous of initiating any such policy, but because I think the men who are concerned are perfectly right in taking advantage of the present occasion to have it set out on the face of the Bill that such a thing as that shall not be done. I would urge my hon. Friend to insist upon his Amendment, unless we have some better explanation and better proof afforded that by the Truck Act the Company cannot do this.

*SIR J. PEASE: I have had the best legal opinion on the subject that could be obtained, and I have been told that the Truck Act covers every point in the hon. Member's Amendment. I object to the Amendment because, as I have already said, I object to impose restrictions upon the North Eastern Railway Company, which do not apply to other Companies. If the House thinks it desirable that no contribution should be made by the directors to these funds, I shall be quite willing to withdraw the clause altogether.

MR. JOICEY (Durham, Chester-le-Street): I cannot agree with the statement which has been put before the House by the hon. Member for Sunderland (Mr. Storey). Whatever may be expressed by the clause in the Truck Act, I feel sure that the spirit of the clause is intended to prevent any such use being made of it as the hon. Member has suggested. I am perfectly certain that the Directors of the North Eastern Railway Company would never utilize the clause of the Truck Act in the way which the Member for Sunderland imagines. Unless the Company have a clause of this sort they would be unable to contribute as the mine owners in Northumberland and Durham contribute to the provident funds set on foot by their workpeople. When the Employers' Liability Act was passed some of the coal owners took advantage of that Act to cease the contributions they had been making to the miners' permanent relief fund, and great dissatisfaction arose in consequence throughout the counties of Durham and Northumberland. So far as I am concerned I should be only too glad to see some Bill passed by the Legislature to compel the mine owners in Northumberland and Durham to contribute their fair proportion to the workmen's fund. I certainly think it a very desirable thing to give the power to the railway company to contribute a voluntary sum to any pension fund which may be established by their workmen.

Question put, and agreed to.

Amendment, by leave, withdrawn.

The Bill ordered to be read a third time.

QUESTIONS.

THE CONVEYANCE OF MAILS.

MR. BLANE (Armagh, S.): I beg to ask the Postmaster General if, at the selection of tenders for the conveyance of mails between Castleblaney and Newry, the tender of a Mr. Hawthorn was accepted; was his the lowest tender; and, if so, what was the amount; and, has Mr. Hawthorn been reported for negligence since his tender was accepted; and, if so, what was the decision of the Postal Department?

*THE POSTMASTER GENERAL (Mr. RAIKES, University of Cambridge): The tender of Mr. Hawthorn was

accepted for the service to which the hon. Member refers. It was the lowest tender, and at the rate of £80 a year. Mr. Hawthorn has not been reported to the Department for negligence since the service was placed in his hands.

LIGHT GOLD COINS.

SIR JOHN LUBBOCK (University of London): I beg to ask the Chancellor of the Exchequer whether Her Majesty's Government propose to take any, and if so what, steps this year with reference to the withdrawal of the light gold coins now in circulation?

THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN, St. George's, Hanover Square): It would be impossible to introduce this Session a Bill for carrying out a complete scheme; but I am anxious to make a beginning, and I should like to pass a measure during the present Session, withdrawing light sovereigns issued previous to the present reign, which, I hope, will arouse no controversy. Of course, if it met with any opposition the Bill could not be proceeded with.

THE ROCK OF CASHEL.

MR. JOHNSTON (Belfast, S.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland if he has seen in the *Freeman's Journal* of the 21st June an account headed "Religious Ceremony on the Rock of Cashel," stating that

> "to-day, for the first time since the Reformation, there was a solemn procession of the Blessed Sacrament through the 'City of the Kings,' and, for the second time, Solemn Benediction on the famous Rock";

whether permission was given by the Board of Works to hold a religious service inside the precincts of the rock; and, whether the service, as reported, was a violation of the law?

A LORD OF THE TREASURY (Sir H. MAXWELL, Wigtonshire): No procession, or other ceremony, has taken place on that part of the Rock of Cashel under the control of the Office of Works.

INDIAN FAMINE RELIEF—CONTRIBUTION OF THE MAHARAJAH OF DARBHANGA.

SIR ROPER LETHBRIDGE (Kensington, N.): I beg to ask the Under Secretary of State for India whether the attention of Her Majesty's Government has been drawn to the munificent contribution made by the Maharajah of Darbhanga towards the initial expenses of famine relief in the district of Darbhanga and the province of Behar; and, whether the Government of India will sanction the construction of a railway, as a famine relief work, from the town of Darbhanga to Sitamarhi?

*THE UNDER SECRETARY OF STATE FOR INDIA (Sir J. GORST, Chatham): No official Report of the munificent contribution by the Maharajah of Darbhanga has been made to the Secretary of State. The railway in the direction indicated in the question has for some time been in contemplation, but nothing has been definitely settled.

THE DRAINAGE OF THE SHANNON.

MR. TUITE (Westmeath, N.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether in the Shannon Drainage Scheme contemplated by the Government it is intended to include the widening and deepening of the Lower Inny (one of the principal tributaries of the Shannon) between Ballinalack and the point where it enters the Shannon below Ballymahon; and, whether representations have reached him that, since the execution of certain drainage works on the Upper Inny some 15 years ago, at a cost of £58,000, the suggested works on the Lower Inny have become absolutely necessary, in consequence of the vast quantity of water discharged into Lough Iron from the Upper Inny, which the Lower Inny, owing to the existing shallows and other impediments, is unable to carry off, whereby the surrounding districts are flooded for miles in the winter and spring months?

THE CHIEF SECRETARY FOR IRELAND (Mr. A. J. BALFOUR, Manchester, E.): No works on the Lower Inny are included in the estimate for the Shannon works. I am unable to say whether at some future time the improvement of this tributary may be undertaken; but before it can be dealt with it is advisable that the improvement of the Shannon itself should be carried out.

MR. TUITE: Will the right hon. Gentleman direct an inspection of the river to take place?

MR. A. J. BALFOUR: I do not think there is any necessity for the inspection of the river.

THE CIVIL SERVICE COMMISSION.

MR. TUITE: I beg to ask the Secretary of State for the Home Department whether he can state when the Royal Commission on Civil Establishments will take evidence with regard to the Post Office?

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. MATTHEWS, Birmingham, E.): I am informed that the Royal Commission on Civil Establishments have decided to make the Foreign Office the next subject of their inquiry; but they are unable to state whether or when they will take any evidence with regard to the Post Office.

PLEURO-PNEUMONIA.

MAJOR RASCH (Essex, S.E.): I beg to ask the Chancellor of the Exchequer whether it is the case that compensation for slaughter in cattle plague is paid out of a central fund; and whether, if so, it would obviate some of the difficulties alluded to by him, in dealing in the same way with pleuro-pneumonia?

MR. GOSCHEN: It is true that in 1878 compensation for slaughter was to be paid out of public funds in the case of cattle plague; but a sharp distinction was drawn in the course of the debate, even by Gentlemen of high—very high—agricultural authority, between cattle plague and pleuro-pneumonia. In fact, the House was partly persuaded to agree to national compensation for cattle slaughtered for cattle plague, on the ground that the case of cattle plague was entirely different from that of pleuro-pneumonia and foot-and-mouth disease. I have only hastily read the debate, but this is the impression I have derived. No money has actually been paid out of public funds under the Act of 1878 so far as I have been able to discover.

THE LOCAL GOVERNMENT ACTS.

MR. TUITE: I beg to ask the Secretary to the Local Government Board whether he can state what progress is being made in carrying out the recommendations of the Boundary Commissioners, in connection with the Local Government Act of 1888; and, can he also state if any steps are being taken, and if so by whom, in order that all alterations in Census areas, caused by this Act, may be amended before the forthcoming Census is taken?

THE SECRETARY TO THE LOCAL GOVERNMENT BOARD (Mr. LONG, Wiltshire, Devizes): The Reports of the Boundary Commissioners refer chiefly to the boundaries of counties and of unions which overlap counties, and the boundaries of those boroughs which are not urban sanitary districts. As regards the latter, the Local Government Board have in each case caused a local inquiry to be held, and Provisional Orders dealing with all the cases except one have been submitted to Parliament for confirmation. With respect to other alterations, the Board have recently received several applications from the Councils of counties and county burghs, and in these cases the Board are in communication with the Local Authorities interested as a preliminary step to the holding of local inquiries. The alterations of areas which have been made by the Local Government Act, and further alterations which may be made in pursuance of its provisions in the coming year, will be recognized in connection with the next Census.

MR. COSSHAM (Bristol, E.): May I ask whether all the arrangements made by the County Councils must be brought before this House before being confirmed?

MR. LONG: No, Sir; certainly not. The alterations which will have to come before the House are alterations of county and borough boundaries. Alterations of union boundaries may be made after an inquiry by the County Council, without reference to this House.

COST OF COUNTY COUNCIL ELECTIONS.

MR. HOZIER (Lanarkshire, S.): I beg to ask the Secretary to the Local Government Board whether, for the guidance of the Committee on the Local Government (Scotland) Bills, he will lay on the Table of the House a Return of the costs of the elections for County Councillors in the various counties of England and Wales?

MR. LONG: A Return has been ordered by the House of the costs of the elections of County Councillors chargeable on the county rate in England and Wales. The Return is not yet complete, in consequence of the costs in some in-

stances not having as yet been taxed. Immediately the Return is complete it will be laid on the Table of the House.

THE ALLOTMENTS ACT.

SIR WALTER FOSTER (Derbyshire, Ilkeston): I beg to ask the Secretary to the Local Government Board whether he can state the number of cases in which Sanitary Authorities have petitioned the Local Government Board for powers of compulsory purchase of land, under the Allotments Act of 1887, and the number of cases (if any) in which the compulsory powers of purchasing land have been put in force, or money borrowed for the purpose of purchasing land for allotments by agreement?

MR. LONG: In no case have powers for the compulsory purchase of land, for the purpose of the Allotments Act, been conferred on Sanitary Authorities. In two instances Petitions for such powers were received by the Local Government Board. In one of these cases the Order was declined after local inquiry, and in the other the Board would have been prepared to issue the necessary Order if they could have done so prior to the date when their powers in this matter passed to the County Council. In five cases loans for the purchase of lands have been sanctioned, and there are now two further cases under the consideration of the Board. Of course, the Act contemplated the hiring of lands by Sanitary Authorities as well as the purchase, and there have been a number of cases where such arrangements have been made. I must, at the same time, observe that one of the results of the Act which it was hoped would be attained was that voluntary arrangements for the provision of allotments would be made by landowners, so as to avoid the necessity of the intervention of Sanitary Authorities; and I am glad to be able to state that the Act has to a large extent had satisfactory results in this respect.

SIR W. FOSTER: Will the hon. Gentleman give the names of the localities from which applications had been made?

MR. WINTERBOTHAM (Gloucestershire, Cirencester): Will the hon. Gentleman give the one case in which the Local Government Board were willing to act?

MR. LONG: I am afraid that I cannot give the name at this moment; but I will furnish it if the hon. Member desires to have it. The reason the application was declined was that the result of an inquiry showed that the land could only be obtained at such a great cost that it would be impossible to sub-let it.

MR. WINTERBOTHAM: I did not mean that case; but the one in which the hon. Gentleman said the Local Government Board would have been willing to accede to the application.

MR. LONG: I will give the hon. Member the name. The hon. Member for Ilkeston (Sir W. Foster) asks me to state the names of the localities from which applications have been received. I believe there will be no objection to furnish them; but in the absence of the President of the Local Government Board I am unable to give them now.

MR. COSSHAM: Have the expenses to which the hon. Member referred been created by the expensive mode of procedure under the Allotments Act?

MR. LONG: Decidedly not; but they are due to the value of the land and the rents which are paid in the district, together with the cost of rendering the land suitable to be laid out in allotments.

IRELAND—THE IRISH LAND PURCHASE AND SETTLEMENT COMPANY.

MR. T. W. RUSSELL (Tyrone, S.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether an association calling itself the "Irish Land Purchase and Settlement Company, Limited," and owning lands in county Galway, has recently sold a portion of its property to the tenants under the Land Purchase (Ireland) Acts; if so, whether he can state (a) the number of holdings sold; (b) the Poor Law valuation and the rental thereof; (c) the number of years' purchase paid by the tenants, and its relation to the rents previously paid by the tenants; and, whether this property was purchased chiefly by means of a Government loan; and, if so, can he state how the account stands, and who are the directors of the company?

MR. A. J. BALFOUR: I must ask the hon. Gentleman to postpone the question, as I am not prepared to give the particulars to-day.

MR. T. W. RUSSELL: I will repeat the question on Monday.

THE OATH AND COERCION.

MR. JOHNSTON (Belfast, S.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland if he has seen a paragraph in the *Wicklow People* newspaper, of 22nd June, headed "The Oath and Coercion," referring to a mission held by the Redemptionist Fathers in Ramsgrange; whether his attention has been called to a sermon of a priest, named O'Brien, in which, after begging the people to be

"as quiet as possible under the very severe trial which their beloved clergy were undergoing,"

he added,

"that, from a Catholic point of view, the oath,"

under the Criminal Law and Procedure (Ireland) Act,

"was an unjust and unnecessary one, and, consequently, should not be taken by Catholics,"

and counselled the people

"to go to prison before taking the oath,"

and, whether such recommendation to break the law can be dealt with under existing statutes?

MR. W. REDMOND (Fermanagh, N.): Is it not true that the persons addressed had been threatened by the police with imprisonment if they refrained from giving evidence, and is it not also true that there are a number of persons actually in prison because they refused to acknowledge that they were in a position to give evidence? I would further ask if the right hon. Gentleman considers that it is conducive to the ends of justice to threaten people with imprisonment who know nothing about the matter inquired into for refusing to give evidence?

MR. A. J. BALFOUR: I am informed that the reverend gentleman was incorrectly reported with reference to the words he is alleged to have used in regard to the oath. Therefore no consideration as to the legal question arises.

MR. W. REDMOND: Did he not counsel the persons he addressed to remain free from crime?

MR. A. J. BALFOUR: I understand that he did not use the words he is reported to have used in regard to the oath. I know nothing more.

MR. W. REDMOND: Is it not the fact that he strongly urged and counselled the people to remain calm under any provocation that might be given to them?

MR. A. J. BALFOUR: I think it is very likely, but if the hon. Gentleman desires further information on the subject he had better give notice.

ARMY GAS STOKERS.

MR. CUNINGHAME GRAHAM (Lanarkshire, N.W.): I beg to ask the Secretary of State for War if he has made inquiries into the fact of the granting of an eight-hours day by the Gas Companies of London, as stated in the public prints; and if he is now prepared to grant similar privileges to the gas stokers employed in Government workshops?

*THE SECRETARY OF STATE FOR WAR (Mr. E. STANHOPE, Lincolnshire, Horncastle): No, Sir; I have not made inquiry.

MR. C. GRAHAM: As the matter is of considerable importance to those employed, will the right hon. Gentleman make inquiry?

*MR. E. STANHOPE: I am not aware that it is the fact that the Gas Companies of London have granted an eight-hours' day. If it is necessary I will be glad to make inquiry.

MR. JOBSON'S "TIME FUSE."

MR. CUNINGHAME GRAHAM: I beg to ask the Secretary of State for War whether it is the case that several Commissions have already favourably reported on Mr. Jobson's claims for compensation for advantage having been taken of his invention of a "Time Fuse;" and, if so, whether it is possible to grant some compensation to Mr. Jobson for this invention, which is now extensively used at Elswick and Woolwich?

*MR. E. STANHOPE: Mr. Jobson's claim to compensation for the invention of a "Time Fuse" was reported on by a Special Committee appointed for the investigation, by the Ordnance Committee, and by the Ordnance Council, and all reported against the admissibility of the claim.

THE RECENT SALVATION ARMY DISTURBANCES.

MR. JAMES STUART (Shoreditch, Hoxton): I beg to ask the Secretary of State for the Home Department whether

it is the case, as reported, that the City Police protected to the boundary of their jurisdiction the Salvation Army procession which was prevented by the Metropolitan Police from passing along the Strand; and, whether he has any information as to the action of the police in the City towards the Salvation Army procession being different from that of the Metropolitan Police in the Strand?

MR. COSSHAM: May I ask whether the law relating to these processions applies to military processions and to the Lord Mayor's show?

MR. MATTHEWS: I am informed by the Commissioner of the City Police that the procession started from Broad Street Railway Station with the intention of passing down Broad Street to its destination. This was not permitted, owing to the probability of obstruction in that thoroughfare, and a circuitous route by Eldon Street and Moorgate Street was accordingly taken. About half-a-dozen men of the City Police accompanied the procession, not for the purpose of protecting it, but in order to prevent as far as possible any serious obstruction to the traffic, and for the convenience of the public generally.

MR. H. GARDNER (Essex, Saffron Walden): Has any procession other than that of the Salvation Army been allowed to proceed along the Strand, and in the future will all processions be forbidden the use of that thoroughfare?

MR. MATTHEWS: I must ask for notice of this question, and also of that put by the hon. Member for Bristol (Mr. Cossham).

MR. JAMES STUART: Did the Salvation Army express any wish or intention to go down Broad Street?

MR. MATTHEWS: I have given the substance of the statement that has been made to me; but if it is wished I will make further inquiry.

MR. JAMES STUART: I should be glad if the right hon. Gentleman would make further inquiry.

MOZAMBIQUE.

SIR JOHN SWINBURNE (Staffordshire, Lichfield): I beg to ask the Under Secretary of State for Foreign Affairs whether he will immediately communicate by cable with Her Majesty's Consul at Mozambique, and ascertain whether it is the case that arms and ammunition are being landed at Mozambique, or in the Colony of Mozambique, in considerable quantities, with the permission or connivance of the Portuguese Authorities at that place?

*THE UNDER SECRETARY OF STATE FOR FOREIGN AFFAIRS (Sir J. FERGUSSON, Manchester, N.E.): Our information is that the Portuguese Authorities have been using their best endeavours to carry out the prohibition of the import of arms and ammunition declared by their Government, and have generally been successful in doing so. If such articles should nevertheless be landed within the knowledge of Her Majesty's Consul he will, of course, report the matter to Her Majesty's Government. If Her Majesty's Government had reason to believe that the Portuguese Government are not carrying out their engagement to the other Powers interested, inquiries would be addressed to them.

SIR J. SWINBURNE: Has the right hon. Gentleman called the attention of Her Majesty's Consul at Mozambique to the rumours which are rife in regard to the importation of arms and ammunition?

*SIR J. FERGUSSON: If communications were addressed to Her Majesty's Representatives in consequence of every newspaper rumour it would cause a great deal of inconvenience and strengthen idle reports. Her Majesty's Consuls would naturally report any such facts without requiring fresh instructions.

SIR J. SWINBURNE: Is the Consul referred to the Vice Consul, and is that gentleman still a free agent? Has he not been sent to prison at the instance at the Portuguese Authorities?

*SIR J. FERGUSSON: I should like to have notice of that question. The Vice Consul referred to is simply a trading consul acting under the Consul at Mozambique.

THE METROPOLITAN COMMISSIONERS OF POLICE.

MR. JAMES ROWLANDS (Finsbury, E.): I beg to ask the Secretary of State for the Home Department if he can now state whether the Report of the Commissioners of Police of the Metropolis for the year 1888 will be laid upon the Table of the House before

the Vote in Supply for the Metropolitan Police is taken?

MR. MATTHEWS: I hope to lay this Report on the Table in the course of a few days, and probably it will be in the hands of Members before the Police Vote is taken; but as to this I can give no definite pledge.

MR. J. ROWLANDS: Will the right hon. Gentleman give a few days' notice of the day on which it will be taken?

MR. MATTHEWS: That is a question for the Leader of the House.

MR. J. ROWLANDS: Then I will ask the Leader of the House.

*THE FIRST LORD OF THE TREASURY (Mr. W. H. SMITH, Strand, Westminster): No, Sir. I am afraid it will not be in my power to do that. The Votes will be taken in order, as they are reached.

JAMAICA GOVERNMENT RAILWAY.

CAPTAIN PRICE (Devonport): I beg to ask the Under Secretary of State for the Colonies whether his attention has been called to the following passage, in a despatch from the Secretary of State for the Colonies, dated 3rd April, 1889, with reference to the sale of the Jamaica Government Railway:—

"It should, however, be distinctly understood that I do not accept any responsibility for the scheme, nor do I press its acceptance upon the Council. The experience of other Colonies points to the conclusion that it is generally more advantageous for a Government to construct railways than to grant concessions to Companies for that purpose, even where the concession does not, as in this case, include the parting with a flourishing railway in exchange for a security which must be more or less of a speculative character. The scheme of constructing a railway entirely with borrowed money, without any subscribed share capital, is a novel experiment in a British Colony, &c."

Under these circumstances, will the Government take steps to submit this experiment to experts in this country before sanctioning its commencement; and, will the Government lay upon the Table of the House the despatch referred to, and a copy of the agreement between the Government of Jamaica and the American Syndicate?

THE UNDER SECRETARY OF STATE FOR THE COLONIES (Baron H. de WORMS, Liverpool, East Toxteth): The question practically before the Secretary of State was whether there was anything in this scheme which rendered it incumbent upon him to interfere with the decision in regard to it of the Legislative Council, which, under the new constitution has, with few exceptions, the control of all financial measures; and after very full examination of the scheme and making considerable modifications in it, he considered that it was one which might be submitted to the Legislative Council for their decision; Her Majesty's Government, therefore, do not intend to submit the scheme to any further examination in this country. Papers will be presented to Parliament when they are more complete than at present.

THE CAPE COAST.

MR. CONYBEARE (Cornwall, Camborne): I beg to ask the Under Secretary of State for the Colonies why necessary public works for the sanitary improvement of Cape Coast have been suspended for the last nine months, and what has become of the sum set apart for such works in the Estimates; whether, as the objections to the Municipal Ordinance for the Gold Coast on the part of the Hon. John Sarbah were put in writing at the request of the governor, Sir W. B. Griffiths, and were fully considered, as well as the Amendments which were made by the community of Cape Coast, he would explain on what grounds the wishes of the people were so set aside; and, what steps the Government of the Gold Coast took to prevent the civil fight and great loss of life which recently took place at Morer near to Cape Coast?

BARON H. DE WORMS: I must ask the hon. Gentleman to postpone that question until Monday. It only appeared on the Paper this morning, and I have not had time to obtain the information.

NAVAL ARMAMENTS AND THE DOCKYARDS.

MR. CONYBEARE: I beg to ask the Secretary to the Admiralty how many millions sterling the Government have already ordered to be expended in new naval armaments during the ensuing 12 months; what proportion of the sum is to be spent in the Devonport, Keyham, Portsmouth, and Sheerness Dockyards respectively; what proportion is to be spent in private yards; what is the actual number of dockyards-

men of all classes who have been discharged during the past eight months from the Devonport and Keyham Yards, and out of what total of men employed; and, whether he can state what is the relative cost of supervision by salaried officials in the Government Dockyards in proportion to the actual cost of production, as compared with that required in the private yards of the firms having Government contracts in hand? I also wish to ask how many more dockyardsmen are to be discharged on Saturday; whether they are all smiths, and, if so, how many of them have been trained as apprentices in the Dockyard; whether it is the fact that the engines for the vessels now building at Devonport are being built in the Keyham Yard; whether the engine-smiths' work is now being done in the boiler-makers' shop instead of as hitherto in the engine-smiths' shop; whether it is the fact that a large number of labourers are to be removed from the smiths' shop and placed under the boatswain; and, whether those who are thus removed have to submit to their pay being reduced from 3s. to 4s. per week?

*THE SECRETARY TO THE ADMIRALTY (Mr. FORWOOD, Lancashire, S.W., Ormskirk): I have to state in reply to the 14 queries included in the hon. Member's questions that he will find in the Estimates or in Returns furnished to Parliament, and in answers given by my noble Friend the First Lord of the Admiralty to the hon. Member's previous questions in the House, much of the information which he now seeks. To re-compile the figures so as to answer the inquiries of the hon. Member in their present form would involve time and expense, besides diverting the attention of the officials from the pressing work required in pushing on with the new naval programme. Some of the queries also relate to matters connected with the discipline and executive administration of the Yards, which I submit cannot be discussed in the House without detriment to the public interest. I may, however, say generally, in reply to the questions, that no naval armaments, except torpedo carriages and gun mountings, are made in any of the Dockyards; that the discharge of men from Dockyards has been caused by no reduction in the extent of work to be undertaken, but is due to a necessary readjustment in the number of the several trades required in connection with the economical and efficient construction of a modern man of war; and that engines are being made at Keyham, as shown in the Navy Estimates. The establishment and incidental charges, including supervision in private building yards, according to accounts submitted to the Admiralty, amounted to over 20 per cent upon the cost of the work, as against about 10 per cent, which, after careful examination, was considered as fairly chargeable to new work in our Dockyards, particulars of which are given in page 159 and following pages of the Navy Estimates. The work at the Yards is performed by the branch or department in which the executive officers consider it can be most economically carried out, and the men employed are those most suitable for the purpose, having regard to the nature of the work required.

COUNTY COUNCIL ELECTIONS—INSPECTION OF MARKED REGISTERS.

MR. ALLISON (Cumberland, Eskdale): I beg to ask the Secretary of State for the Home Department, in reference to the election for the electoral division of Hesket, in the county of Cumberland, what steps are necessary to be taken to allow inspection of the marked registers, after the County Council had formed its regulations, seeing that the marked registers and the counterfoil voting papers have been included in the same sealed packets contrary to the provisions of the Ballot Act, 1872?

MR. MATTHEWS: I am advised that, inasmuch as the marked register has, in fact, been enclosed in the same sealed packet as the counterfoils of the voting papers, this packet cannot be opened even for the purpose of taking out the marked register without the order of the County Court Judge, to whom application should be made for that purpose. I beg to refer the hon. Member to the case of "Stowe *v.* Jolliffe" (9 L. R., C. P. 446).

GUNS FOR THE NAVY

MR. HANBURY (Preston): I beg to ask the Secretary of State for War whether out of the guns, 100 in number,

for which (according to a Return of 18th June 1889) nine of Her Majesty's ships were still waiting, 40 at least were ordered without any promise to complete them at any definite date; how many of the guns, about which no information on this point is afforded in the above Return, were similarly ordered either from the ordnance factories or private firms; who was the person responsible for giving such orders, and when were they given; whether the same practice now prevails; and, whether, in giving orders for guns to private firms, any priority is claimed by the Government for national orders over those given to the same firms by other persons or Governments?

*MR. E. STANHOPE: This question assumes that in a Return dated the 18th of June it is shown that nine of Her Majesty's ships are waiting for 100 guns, but if the hon. Member will look at the Return he will see that 100 is the complete armament of the ships; and the Return further shows that from 60 to 70 of these were actually on board ship, or could be put there at any moment, or had passed proof and were practically ready; seven were stated to be at proof, of which up to this date six have passed; four were to be delivered by contractors at various dates during this month, all of which have been received. The armament of two ships will be completed, as the Return states, by putting on board seven guns of the same calibre, which are now ready. The block in the supply of guns, therefore, has been almost surmounted. No guns whatever have been ordered by contract without a promise to complete them by a definite date. As a rule guns are not ordered for particular ships, but for Navy service generally. Therefore the column in the Return which states the dates when outstanding guns were promised does not relate to the dates at which contractors of the ordnance factories have undertaken to supply them. To avoid complication the Return was originally moved in this form. The delays which have taken place either from change of pattern or by neglect of contractors are notorious. I have no doubt that the person responsible for the orders given is the Secretary of State for War for the time being. Contractors are now required to give precedence to orders from our own Government, and our resident Inspectors will take care to insure this being done.

PUBLIC BUSINESS.

SIR GEORGE CAMPBELL (Kirkcaldy): I beg to ask the First Lord of the Treasury if he can now give any indication when or in what order with regard to other Bills he proposes to proceed with the Local Government (Scotland) Bill?

MR. COSSHAM: May I ask when the Drainage Bills are likely to be effectively put down?

*MR. W. H. SMITH: In all probability the Irish Bills will be taken on Monday. I am not able to give an answer with regard to the Local Government (Scotland) Bill. It is my desire to meet the wishes of the House as far as I can, and the Bills will be proceeded with as early as possible.

SIR G. CAMPBELL: Can the right hon. Gentleman give the House any assurance that these Bills will be proceeded with, and that there is no truth in the rumour that the Government intend to shunt them on account of the objection of some of their supporters to free education?

*MR. W. H. SMITH: I really do not wish to waste the time of the House by discussing rumours, or by even satisfying the alarms of the hon. Gentleman. Surely the hon. Gentleman has been long enough in Parliament to know what value to put upon such rumours.

SIR G. CAMPBELL: Will the right hon. Gentleman give us the assurance that these Bills are to be pushed through this Session?

No answer was given.

MR. CHILDERS (Edinburgh, S.): Are we to understand that the Tithes Bill is to be taken before the Local Government (Scotland) Bill?

*MR. W. H. SMITH: No, Sir; I cannot give that assurance. Further progress must be made with the Bills now before the House before I can say precisely what course will be taken.

MR. E. ROBERTSON (Dundee): Is it still the intention of the right hon. Gentleman to proceed with the Committee on Royal Grants?

*MR. W. H. SMITH: I must ask the hon. Gentleman to postpone that question until Monday.

SIR W. LAWSON (Cumberland, Cockermouth): Is it the intention of the Government to discharge the Order for the Sugar Convention Bill on Thursday?

*MR. W. H. SMITH: It is not very important whether I deal with that Bill next Thursday or on any other Thursday. It will be taken in the usual course.

THE SHERIFF CLERK OF LANARKSHIRE.

MR. CUNINGHAME GRAHAM: I beg to ask the Lord Advocate whether the gentleman who is Accountant Statistician and Inspector of District Offices in the Sheriffdom of Lanark is a brother of the Sheriff Clerk of Lanarkshire who created the office and made the appointment; when that gentleman made his last inspection of the district offices, and how often since his appointment he has inspected those offices; what experience, knowledge, or training in Sheriff Court work that gentleman has had to enable him efficiently to perform the duties of his present position; and, what was that gentleman's calling prior to his appointment six years ago to the office he now holds?

THE LORD ADVOCATE (Mr. J. P. B. ROBERTSON, Bute): My answer to the first question is in the affirmative; the last inspection at Hamilton was made in the end of 1886. He has been twice at Hamilton, once at Airdrie, and once at Lanark. The duties of this office are altogether connected with the accounting department of the Sheriff Clerk's office, and prior to his appointment he had thirty years' experience as cashier, accountant, and ultimately partner in a large commercial house.

MR. CUNINGHAME GRAHAM: I beg to ask the Lord Advocate what additional sum was granted to the Sheriff Clerk of Lanarkshire, on the death of Mr. Donald, the Commissary, in consequence of the commissary work being then added to the Sheriff Clerk's duties, and what proportions of that sum were allotted to the Sheriff Clerk deputes at Hamilton, Airdrie, and Lanark, who now require to take charge of the commissary work falling under their respective districts?

MR. J. P. B. ROBERTSON: When these two offices were amalgamated the sum of £850 was added to the sheriff clerk's salary in respect of this work and the increase in his ordinary duties, £400 of which was allotted to the Sheriff Clerk himself and £450 for the clerks and deputes. The bulk of the commissary work is done in Glasgow, and in respect of what is done in the districts £45 was allotted to the deputes at Lanark, Airdrie, and Hamilton respectively. An additional clerk has since been sent to Hamilton at a salary of £60.

IRELAND—PRISON TREATMENT OF THE REV. D. STEPHENS.

MR. BLANE: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland if the Rev. Daniel Stephens, at present in Londonderry Prison, would be allowed the use of books from his own library by the authorities; and if this were disallowed, would the Government permit him the free use of the prison library, allowing him to have the books changed as wanted, and not restrict him to a few during his imprisonment?

MR. A. J. BALFOUR: The General Prisons Board report that the Rev. Mr. Stephens being now an ordinary convicted prisoner, his case differs in no respect from that of any other prisoner of the same class. No ordinary prisoner is allowed the use of private books, and the use of prison books is governed by certain general regulations applicable to all prisoners alike, and which the governor has no power to alter in the case of any particular prisoner.

MR. CONYBEARE AND THE SPEAKER.

*SIR W. BARTTELOT (Sussex, N.W.): I am not in the habit generally of bringing questions of Order before the House; but I must ask to-day for the kind indulgence of the House while I ask the Speaker questions on points of Order with regard to a Notice of Motion which appears on the Paper for this day in the name of the hon. Gentleman the Member for Camborne (Mr. Conybeare). I think, Sir, that I am only expressing the general opinion of the House when I say, as an independent Member, that in most trying and difficult circumstances you have discharged your duties with a fairness and impartiality and a firmness which must commend

themselves to every right-feeling man in the House. Part of the following Notice has been on the Order Book for some time; but my attention was not specially called to it until to-day, for which day I find that it has been put down as an Amendment to the Motion for going into Committee of Supply, with a recent addition relating to an incident of the present Session:—

"Mr. Conybeare,—To move that the application of the Closure on the 19th of July, 1888, to the Motion that the Bann Drainage Bill be now read a second time, without any debate having taken place thereupon, and the refusal by Mr. Speaker to permit an Amendment to such Motion standing in the name of the Member for Camborne to be moved, and the application of the Closure on the 16th of May, 1889, to the Motion relating to perpetual pensions and the refusal by Mr. Speaker to permit an Amendment, proposed by the Member for Caithness, to be moved, constituted a very gross abuse of the Rules of this House, which, by Standing Order 25, require Mr. Speaker to use his discretion for the protection of the rights of the minority."

I wish to ask the Speaker whether such expressions ought to appear on the Notice Paper of the House? By the Standing Order Mr. Speaker is required to use his discretion for the protection of the rights of the minority; and I appeal to the House whether Mr. Speaker has not invariably used his discretion with judgment and with justice? I wish, therefore, to ask whether it is in order that this Notice should appear on the Order Book; secondly, whether any Amendment can be moved to it to-day; and, thirdly, whether, if it be not disposed of to-day, such a Notice impugning the character of the Speaker ought to be allowed to remain on the Order Book of this House?

*MR. SPEAKER: The hon. Baronet informed me a few minutes ago that he was about to ask this question of me. I may say that I had noticed the Motion on the Paper in the name of the hon. and learned Member for Camborne, the first part of it, I believe, has been on the Paper for nearly a year, but it was not until lately that the hon. Member fixed to-day for the Motion, in which he has included a further and recent application of the closure, in addition to the terms of his original Motion. The hon. Member has not only questioned the exercise of the discretion with which I am invested by the House, but he has done more—he has questioned the Votes of the House, because the exercise of my discretion was ratified by the House on both occasions. The hon. Gentleman is perfectly within his right in questioning the exercise of discretion by the Speaker, but he clearly cannot do so by an Amendment to the Motion "that the Speaker do now leave the Chair," because, as I have already pointed out on a previous occasion, that would give no opportunity to any hon. Member if he thought fit to move an Amendment traversing the Motion of the hon. Member for Camborne. If the hon. Member objects to a Vote of the House, it is not competent for him to call it in question by an Amendment to the Motion that I do leave the Chair, but he must move a substantive Motion asking that the Vote of the House shall be specifically and distinctly cancelled. On both occasions, as I say, the House by a Vote ratified the exercise of my discretion. I only point out—I do not wish to argue the question—that whether the discretion vested in me was rightly or wrongly exercised, the House on both occasions thought it right not to refuse the application of the closure. I only acted in the exercise of the discretion specifically vested in me when I thought it right—and I do not think I was wrong—not to withhold the question of the application of the closure from the judgment of the House; and the House on both occasions ratified my judgment by a large majority. It was a matter entirely for the opinion of the House to sanction or refuse the application of the closure. If the hon. Gentleman wishes to question my conduct or to question the conduct of this House in a particular Vote he must submit a substantive Resolution to the judgment of the House. If he were to raise a debate upon the Notice now on the Paper, the issue would not be fairly presented to the House. Perhaps I ought to have dealt with the matter before, but as the Notice had relation to myself as well as to the House, the House will understand that I felt some delicacy in moving in the matter.

MR. CONYBEARE: I had not the slightest idea of transgressing the Rules and Orders of the House by putting the Motion down for Friday evening, and I have not received any intimation that I was out of order in so doing. I had no desire to question the ruling of the

Speaker or his action in connection with the two Votes or the decision of the House. If it is not competent for me to bring on the Motion in this form on a Friday evening, I will take the earliest opportunity of submitting it as an independent Motion either this Session or next.

MR. W. REDMOND: Upon the point of order may I ask if it is in your discretion, Sir, to allow the closure to be moved when there has been no debate, as in the case of the Bann Drainage Bill?

*MR. SPEAKER: My discretion is unlimited to submit to or to withhold from the judgment of the House to determine whether the question shall be put or not. I am vested by the Standing Orders with absolute discretion to permit the closure to be moved unless I think that the debate ought to be allowed to go on in the interests of fair debate and in the interests of the minority, whatever that may mean. If I think the matter is not properly before the House I do not intervene but allow the debate to go on.

MOTIONS.

—o—

INDUSTRIAL AGRICULTURAL EDUCATION BILL.

On Motion of Mr. Jesse Collings, Bill for Industrial Agricultural Education in public Elementary Schools in Rural Districts, ordered to be brought in by Mr. Jesse Collings, Mr. Henry H. Fowler, Sir John Lubbock, Mr. Howell, Sir John Kennaway, Sir Bernhard Samuelson, Mr. George Dixon, Mr. Robert Reid, and Major Rasch.

Bill presented, and read first time [Bill 295.]

RAILWAY STATIONS (NAMES) BILL.

On Motion of Mr. Swetenham, Bill to provide for the better advertising by Railway Companies the names of Stations within the limits of Railway Stations in Great Britain, ordered to be brought in by Mr. Swetenham, Mr. Burdett-Coutts, and Mr. Seager Hunt.

Bill presented, and read first time. [Bill 296.]

DOGS ACT (1871) AMENDMENT BILL.

On Motion of Sir Henry Roscoe, Bill to amend "The Dogs Act, 1871," and to amend the law as to the rights and liabilities of owners of dogs, ordered to be brought in by Sir Henry Roscoe, Mr. Smith Wright, Mr. Norris, and Dr. Farquharson.

Bill presented, and read first time. [Bill 297.]

LONDON COUNTY COUNCIL (THEATRES) BILL.

On Motion of Sir John Lubbock, Bill to confer powers on the London County Council for inspecting Theatres, Music Halls, and other places of entertainment, and granting certificates, ordered to be brought in by Sir John Lubbock, Mr. Beaufoy, Earl Compton, Mr. Firth, Colonel Hughes, Mr. Lawson, and Mr. Howard Vincent.

Bill presented, and read first time. [Bill 288.]

ORDERS OF THE DAY.

—o—

UNIVERSITIES (SCOTLAND) BILL.

Bill considered in Committee.

(In the Committee.)

Clause 10.

*MR. ESSLEMONT (Aberdeen, E.): I beg to move the Amendment which stands on the Paper in my name and which limits the number of the Commissioners to ten. The preponderance of Scotch opinion is in favour of a smaller Commission than that proposed by the Bill. I quite appreciate the well-timed remark which was made last night that we ought to discuss this somewhat delicate subject with as little reference to individuals as possible, but after all the learned Lord Advocate had to confess that he had given quantity for quality. If my Amendment be adopted, the Government can take time to consider the names of the Commissioners, and then I hope that such names will be proposed as will meet the general views of the House and of the Scotch Members. The Government have made fair concessions in regard to the constitution of the Universities Courts, and they now have an opportunity of making similar concessions in regard to the Commission, which the Scotch Members desire should be a most efficient body, and one in which those who are interested in education would have the greatest possible confidence. I now submit the Amendment, hoping that the Government will see their way to accept it.

Amendment moved, Clause 10, page 8, line 14, after "following" insert "ten."—(*Mr. Esslemont.*)

Question proposed, "That the word 'ten' be there inserted."

*MR. CAMPBELL-BANNERMAN (Stirling Burghs): Upon this question I must confess that I have considerable sympathy with the hon. Gentleman who has moved the Amendment. I voted last night for reducing the number of Commissioners to seven, rather by way

of showing that I was in favour of a somewhat smaller Commission than that proposed by the Government than because I thought there was any particular virtue in the number seven. I think that the figure named by the mover of the present Amendment pretty accurately expresses what might be accepted by the Committee and the Government. At the same time, I am well aware of the difficulty the Government might have, at this stage of the proceedings, in reducing the number of Commissioners to that point. We are not now engaged in creating an absolutely new Commission, but in the, perhaps more difficult task of endeavouring to make an old Commission better than it is; and I appeal to the Government to state, if they can, how far they are disposed to meet the views of Scotch Members on this side as to the constitution of this executive Commission. The First Lord of the Treasury and the Lord Advocate last night indicated a desire to meet our views in this matter, and I think it might contribute materially to the progress of the Bill if we could now come to some understanding on the subject. This is an executive Commission of the utmost importance in the interests of the Universities; it is to carry out and apply the provisions of this measure; and I cannot forget that this Bill and the general line of reform which it embodies are really the offspring of certain active Members of the councils of the Universities who have agitated for and advocated some alteration of this sort for many years. It is surprising to find among the Commissioners a most inadequate representation of that particular class of persons among those interested in University matters. Again, the House has not yet decided what is to be done in the important matter of tests and Theological Faculties; but assuming that the Government have their way in that matter, then the great question of tests and theological faculties will be remitted to a Commission on which there is not a single member connected with any of the great Presbyterian bodies of Scotland outside the Established Church. Now, with a view to strengthen the Commission in these respects, I have ventured to put upon the Paper the names of two men, Dr. Heron Watson, a distinguished medical practitioner in Edinburgh, and Dr. Blackie, a well known citizen of Glasgow, both of whom have taken a leading part in the movement which has led to the introduction of this measure. They have also, I believe, the qualification of being members of one or other of the Dissenting churches. There is also another name proposed by the hon. Member for Aberdeen (Mr. Hunter)—the name of the hon. Member for Shoreditch (Mr. J. Stuart), who is a Scotchman—very much a Scotchman—and a graduate of St. Andrew's, and who has had a large experience of educational matters in the University of Cambridge, and especially in the popular development of University education. These are three names which I should say would certainly give strength to the Commission, and would, to a great extent, meet the feeling of which I am the mouthpiece. But if the advocates of change are thus represented, it is also desirable that the teaching body should be directly represented upon the Commission. Indeed, every aspect of the question of Scotch University education ought to be adequately represented even if some of the members of the Commission should be regarded by their colleagues as *advocati diaboli* because they represent an unpopular cause. The professors and the teaching body should also have their due representation. I ask the Lord Advocate whether the Government will be willing to add for these purposes four members to the Commission—two out of the three whom I have named, and also two members of the Senatus of one or other of the Universities. I would suggest as one of these Sir William Thomson, as being not only a Scotchman, but head and shoulders above all his contemporaries in scientific matters. He is, moreover, a man of equable temperament, who would probably take moderate views in this matter, and another qualification is that he is President of the Royal Society of Scotland. I now come to the rather delicate question as to what names are to be taken off in order to make room for these new members. I should be glad if the Government could see their way to take off a great many, but on the assumption that the Government mean to adhere to the number which they propose, how can we proceed in the least invidious way to select the victims

for sacrifice? Let us begin at the bottom of the list. If the Government took off the three members at the foot of the list, room would be made for my suggestion, and, as we require one other vacancy, I would say that if in these discussions there is one name more than another which has been alluded to as being somewhat superfluous it is that of Sir James Crichton Browne. It has been pointed out, in the course of the debate, that he is one of two medical men on the list, belonging to a particular branch of the medical profession, which is thus over-represented, and that, if in Scotland, he is not resident in Edinburgh. I think I was bound in suggesting that new names should be adopted to indicate the way in which they could be added, and I shall be glad to know whether the Government can accept the proposals I have made. We, on this side of the House, are all agreed that the Commission proposed is too large, and if it could be reduced in number I should be very pleased. I have, however, made my suggestions on the supposition that the Government intend to adhere to the full number of the Commission, and I believe if the changes I have suggested were introduced, they would not only tend to make the Commission a more satisfactory one, but would also very materially assist the passing of the Bill through the House.

*Mr. SHAW-STEWART (Renfrew, East): I earnestly hope that the Government will take advantage of the suggestion which has been so well put forward by the right hon. Gentleman the Member for the Stirling Burghs. They may, by a timely concession, save considerable discussion on this point now, and the question may be settled on Report so as to please both sides of the House.

Dr. FARQUHARSON (Aberdeenshire, West): I voted last night for the Motion to reduce the number of Commissioners to seven, but at the same time I could not help feeling the great force of the remarks made by the Lord Advocate against running down the Commission to such a small number, inasmuch as it has to do such varied work. I am bound to say, however, that the proposal of my hon. Friend to reduce the number of 10, seems to me to be thoroughly practicable. We can have three lawyers, three doctors, three educationalists, and last but not least one of those ornamental personages of whom we have heard, and who are to a certain extent worthy of being put on the Commission. I quite recognise the difficulties the Lord Advocate had to contend with in forming the Commission especially in the selection of the doctors. It is hopeless to expect medical men of large practice in London to take journeys to Edinburgh to carry on the work of the Commission. Gentlemen who are connected with lunacy practice have, however, a certain amount of intermittent leisure, and would be able to go to Edinburgh occasionally to do the work. I am bound to say that the medical men selected are gentlemen of ability and public spirit, and I think they might very fairly be left on the Commission as representing the medical interests. I think my right hon. Friend wanted to take too many doctors off the Commission and to leave on too many lawyers.

The LORD ADVOCATE (Mr. J. P. B. Robertson, Bute): The right hon. Gentleman the Member for Stirling Burghs has very fairly recognized the difficulties of a Government which, having framed a Commission, is asked to dismiss some of the members and to add new names. I stated last night that while very careful consideration had been given to the selection of names, and while we are prepared to support every name we have put forward, we must necessarily have regard to the confidence which the Commission should inspire in the public mind. When I hear my hon. Friend (Mr. Shaw-Stewart) on this side support the suggestions of the right hon. Gentleman opposite it becomes very difficult to insist upon our present list. The right hon. Gentleman has pointed to two interests which he considers inadequately represented on that Commission. The first is described as the body of academic reformers, and the other as the body of Presbyterian dissenters. As to the first point, an effort has been made to place on the Commission names that have been prominent in academic discussion. As to the second, if the House should decide, as I hope it will, to defer for Report the question of tests, I think it is very desirable that there should be some member on the Commission who is personally identified with the body of

Presbyterian dissenters. The two first names which the right hon Gentleman has mentioned are those of men of position, ability, and note. What, however, strikes me with regard to both is that each is personally identified with teaching, and is therefore to some extent in competition with the Universities. That is a point which requires very careful consideration. He has also suggested the eminent name of Sir William Thomson, who will represent the professorial body. Turning to the mode in which the right hon. Gentleman proposes to obtain vacancies, I will at once say that I notice with great regret the names which would be removed from the Commission. The right hon. Gentleman has adopted a very uninvidious method of reducing the number; but when I look at the three names I observe with great regret that we shall lose Mr. Erichsen, a valued public servant; Mr. Richard Varny Campbell, a capable lawyer; and Mr. McGregor, a Glasgow citizen of high repute. I also see with great regret that Sir J. Crichton Browne would disappear from the Commission. If, however, some process of excision has to be gone through, I am not sure the right hon. Gentleman has not hit upon a method as appropriate as any that could be suggested. I take the three last names because they were the last, and for the removal of Sir J. Crichton Browne's name he urges the reason that if it were retained a comparatively small section would be doubly represented in the Commission. I will merely observe that if the Committee should see fit to delete these four names, they may leave them blank in the meantime, trusting to the spirit of conciliation and the good understanding which at present exists, and which I believe will be carried out in the selection of the four names to fill the blanks. I cannot say I regard with complete satisfaction the suggestion for the representation of contending interests. The suggestion is that an extramural teacher should be put in, and that on the other hand there must be found a representative of the intramural or professorial element. I hope it is not too late for the right hon. Gentleman opposite to reconsider that matter. I think we shall best arrive at a harmonious settlement of this question by consenting to the deletion of the four names and leaving them blank until the stage of Report.

MR. HUNTER (Aberdeen, N.): With reference to the very satisfactory statement we have just heard from the two front Benches, I rejoice that means have been found to avoid an unpleasant discussion. With regard to admitting one or two professors into the Commission, I would urge the absolute necessity of Aberdeen being represented. There are at Aberdeen an enormous number of bursaries, and I think some professor of the Arts section conversant with the details of the system should be on the Commission.

*SIR B. W. FOSTER (Derby, Ilkeston): Whilst recognizing the very liberal spirit in which the suggestions of my right hon. Friend have been met by the Lord Advocate, I am still inclined to support the Amendment reducing the number of the Commission to ten. I should like to see the Commission completely reconstituted. I do not think it would be fair, as my right hon. Friend proposes, to strike two medical men off the list without replacing them by other medical representatives. These Universities are great centres of medical teaching, and we send from England a large number of students on account of the excellence of that teaching. They compete with our English Universities, and I think we have a right to demand that as regards the granting of degrees they should be administered in the most liberal spirit, and that we should not pay them to compete with ourselves, and, at the same time to exclude our students from their degrees unless they spend a certain time north of the Tweed. If there is one medical man who should have a place on the Commission it is Dr. Bruce, who has been chosen by the whole medical profession of Scotland to represent them on the General Council, and whose academic position and general culture would eminently fit him to discharge the duties of a Commissioner. I shall support the Amendment with the view of having the constitution of the Commission remodelled.

MR. WALLACE (Edinburgh, E.): I am strongly in favour of a reduction in the number of members of this Commission, and for several reasons I shall support the Amendment of my hon. Friend. I have suggested the

omission of four names, and I propose to state my reasons for so doing, in order that my motives may not be misconstrued. The members of the Commission include representatives of four classes — Educationalists, Members of Parliament, lawyers, and medical men. Now, in the first place, it seemed to me possible to omit some of the gentlemen named as members without the slightest disrespect for them. For instance, among the Educationalists I think the name of Sir Francis Sandford might be left out, because we have on the Commission another gentleman, a well-known Scotch Educationalist, the Member for the Glasgow University, and however much we may differ from him, not only on general, but on University and Educational questions, I think he is entitled to be considered an eminent Scotch University Educationalist. The gentleman whose name I suggest for omission is certainly not as great a specialist on these questions as the hon. Member. Then I come to the Members of Parliament, of whom there are five. I do not wish to make any personal contrast or reflection whatsoever, and I do not think I am doing wrong when I say that of the five Members, four of them, at all events, are more or less prominently identified with University educational matters. The hon. Member for Manchester, for instance, has a peculiar eminence of his own in regard to science as connected with the Universities, while the hon. and learned Member for North-East Lanarkshire necessarily and naturally commands the highest respect, for he is an accomplished scholar, who has a unique experience in Scotch, English, and Continental University Education. He is, therefore, peculiarly fitted to do valuable service on this Commission. Then, again, the hon. Member for the Partick Division of Glasgow has long interested himself in educational questions, and occupies a certain position of pre-eminence in connection with University matters. I cannot, therefore, feel justified in moving the omission of either of these gentlemen. But I do not think I am saying anything derogatory to the hon. Member for Ipswich when I suggest he is not a specialist, and ought not to be put in competition with the hon. Members I have named. No doubt, in a certain department of public usefulness the hon. Member has distinguished himself in a manner that is suitable to his qualifications, but I do not think I am saying anything disrespectful to him when I suggest that his name might be omitted from the list. Now, there are a considerable number of lawyers on the Commission—men in high positions, and others in positions not so high. Some of them have claims on grounds to which I have already referred. Of the others there are two Senators of the College of Justice, and one member of the junior branch of the profession. I think that one Senator of the College of Justice would be sufficient, and it seems hardly right that two-thirds of the representation of the profession should be given to what is numerically the very much smaller body, while the ordinary Bar of Scotland has no representation at all—for that would be the effect of adopting the suggestion of the right hon. Gentleman the Member for Stirling Burghs in proceeding by the haphazard method of striking out the latter, a proceeding which is evidently in obedience to the precept which commits the hindmost to a patronage which is not always safe. With respect to the medical profession I think there need be very little difficulty indeed. The proposal of the Lord Advocate is to give two-thirds of the representation of the medical profession on the Commission to gentlemen who are versed in lunacy. I think one of these gentlemen might safely be spared, and if there is a representative of what I may call sane, as distinguished from insane medicine, I think the matter might be safely left in the hands of Mr. Erichsen. I have made these suggestions in the hope that they will prove helpful in showing how still further to reduce the size of the Commission without doing anything indelicate or invidious, and I have also given my reasons in order to defend myself from suspicions of unworthy motives. The Lord Advocate yesterday said it was easy to invent and to utter sarcasm in connection with personal names. That is a facility of which the Lord Advocate does not too abundantly avail himself, but if he was indicating a reference to any Members on this side I will venture to assure him that he was mistaken, for we desire to say nothing undeservedly offensive to any individual, while we are not indis-

posed to fire a broadside into the general mass.

*SIR LYON PLAYFAIR (Leeds, S.): The question before us is whether the Government are disposed to agree to a compromise which involves the acceptance of my right hon. Friend's suggestions, with a view to securing the representation of certain interests, while leaving out the names of some proposed members of the Commission who could be spared because they have no special qualifications. If the Government are willing to adopt this course I do not think that we can go any further with the matter at present, seeing that the Government cannot say who will be put forward to supply the vacancies. I am glad that the Government have indicated that the teaching staff of the Universities will be represented. I find on the Commission a gentleman with whom I have served on several Commissions, and who will give a judicial mind to the work—I mean the hon. Member for Glasgow and Aberdeen Universities (Mr. Campbell). But I also want to see a real academical reformer appointed. One name suggested is that of a very advanced politician, but a moderate academical reformer. I have never found him to be more advanced than myself on these matters, although we have served together on Academical Commissions; and as the Lord Advocate has been pleased to acknowledge me as a moderate reformer, I think he can have no objection to the hon. and learned Member for Shoreditch (Professor Stuart), whom he will find has thoroughly at heart the interest of the English as well as Scotch Universities. I do not think it wise now to discuss individual names; if necessary that must be done on the Report stage.

*MR. W. H. SMITH: I hope, now that the Government have accepted the proposal of the hon. Member for the Stirling Burghs, this discussion will not be further prolonged. In the appointment of the four gentlemen who are to be placed on the Commission Her Majesty's Government will endeavour to give complete effect to the views of hon. Gentlemen opposite. Possibly, this compromise does not give entire satisfaction to some hon. Gentlemen opposite, but it is as far as Her Majesty's Government can go.

MR. E. ROBERTSON (Dundee): I understand the arrangement arrived at is that four names shall be deleted from the present list, and four new names proposed on the Report stage. I think that that is a very curious result to have been brought about by a discussion on a Motion to reduce the number of Commissioners to ten. Still, if my hon. Friend thinks it right to press his Amendment to a Division, I shall vote with him. I will not discuss that Amendment now, but in regard to the four new names to be chosen, I trust I am within my rights in expressing a hope that these nominations will not be understood to be a matter of private arrangement between the two Front Benches in this House, because I think on this subject private Members ought to be consulted. There is one other point on which I should like to touch. I do not like the argument which has been advanced for the selection of two names—namely, that the question of tests might have to be referred to this Commission, and that persons supposed to be specially competent to deal with it should therefore be elected on the Commission. I think, in the first place, it is pre-judging the question whether the matter should or should not be referred to the Commission; and, in the second place, if you make provision now for Commissioners specially qualified to deal with it, then you, to some extent, pre-judge the decision of the House on the important point whether or not the tests should be abolished by a vote of this House, or whether the point should be referred by the Bill to the Commission. Then, again, the suggestion that persons specially selected by the Presbyterian bodies should be specially selected for that purpose seems to be one of a suspicious character. I do not admit that such persons are specially qualified to deal with the question of tests on that ground, and I think the House should secure a more judicial, a more neutral, and a more independent opinion on the Commission.

*MR. ESSLEMONT: As I wish to facilitate the progress of the Bill, I will withdraw my Amendment, although I may point out to the First Lord of the Treasury that the question is a most important one, and he ought not to begrudge a little time for discussing it. It is understood that the matter will be brought up on the Report stage.

Amendment, by leave, withdrawn.

Amendment proposed, Clause 10, page 8, lines 21 and 22, leave out "William Mackintosh, Esquire, Dean of the Faculty of Advocates." — (*The Lord Advocate.*)

Amendment put, and agreed to.

Further Amendments proposed, Clause 10, page 8, lines 20 and 21, leave out "Sir James Crichton Browne"; Clause 10, page 8, lines 24 and 25, leave out "Richard Varny Campbell, Esquire, and Alexander Bennet M'Gregor, Esquire."

Amendment agreed to.

Question proposed, "That Clause 10, as amended, stand part of the Bill."

MR. BRYCE (Aberdeen, S.): As this is the last opportunity we shall have of pressing observations on the Government with regard to the filling up of vacancies, I should like to point out that on the Commission, as it now stands, there is no one who has anything like a substantial knowledge of the requirements of Aberdeen University, and I hope that an attempt will be made to secure a place on the Commission for someone with special knowledge of that University. I have endeavoured to obtain consent to serve from Dr. Baines and Professor Robertson Smith, two graduates of the University, but owing to the pressure of other engagements they have declined. Perhaps Her Majesty's Government may be able to overcome their reluctance.

Question put and agreed to.

Clauses 10, 11, 12, and 13, agreed to.

Motion made, "That Clause 14 stand part of the Bill."

MR. HUNTER: I hope that the Government will not object to the insertion of the words "and students" after "teachers."

MR. J. P. B. ROBERTSON: I do not see any objection to that.

Amendment proposed, Clause 14, page 9, line 29, insert after "teachers" "and students."

Amendment put, and agreed to.

SIR G. CAMPBELL (Kirkcaldy, &c.): I thought it better to honestly and clearly indicate the particular form in which I think inquiry should be made, and therefore my Amendment is divided into two parts—first, in general terms, to inquire into the expediency of abolishing any college which may no longer be required, or to alter its functions; and then, in particular, I direct inquiry into the maintenance of St. Mary's College, St. Andrew's, as a School of Divinity. I wish to say at once that this has no connection with the question of Disestablishment. I bring this proposal forward in no spirit of hostility to the Established Church. I have my own opinion as to Disestablishment; but so long as the Established Church exists and Divinity Schools are required as part of the system, I do not wish to raise that question. But the question I do want to raise is—whether it is desirable that this particular Divinity College should be maintained as such, or whether the funds required for its maintenance might not, with advantage to the University of St. Andrew's, be devoted to other purposes, making that University what we all desire to see it. So long as it exists, the Established Church of Scotland is entitled to Divinity Schools in connection with the Universities. Provision is made for divinity students in each of the four Universities; but the number of students never exceeds 270 or 280, and the number has fallen so low as 200. Now, at the first blurt, I say, taking the maximum number 280, that four colleges for the education of these students are too many; but when we come to the Colleges of Aberdeen and St. Andrew's, we find the number of students is ridiculously small. Within the last few years the number of scholars in each has fallen below 20; in one case 18, in the other 19. Then a proposal was mooted to abolish these Divinity Halls, and an effort was made, and the attendance in the two rose to 70. But are 70 students sufficient to keep up these two well-equipped Divinity Schools? I do not think the necessity can be shown. Aberdeen, perhaps, may establish a claim; but as regards St. Andrew's, I think there is a consensus of opinion that the Divinity School is not required. There are fully-equipped Divinity Schools at Edinburgh and Glasgow, both places as near to St. Andrew's as Cambridge and Oxford to London, and a large proportion of the students at St. Andrews come from places much nearer to Glasgow or Edinburgh than to St. Andrew's. There is no necessity for keeping up this Divinity School, while

by making use of the funds for the equipment and building of St. Mary's, and for the general purposes of the University, you might make St. Andrew's an ideal place of education. I admit that St. Andrew's has done its best with very limited funds at its disposal. Its income is small, and has diminished of late years, for no county has suffered more from agricultural and commercial depression than Fife. Adding, however, the building and equipment of St. Mary's to St. Andrew's, for general purposes, you might have a modern school of the very best class. An opportunity offers for carrying out the work now, for recently two of the most highly-paid professors have died. I am satisfied the changes might be made without doing any harm to the Church of Scotland and with immense advantage to St. Andrew's. The salaries paid to professors at St. Mary's are high, and the income is derived from what are for Scotland considerable endowments. Putting the matter on the ground of utility, I may say with confidence there cannot be two opinions. Everybody must allow that St. Mary's is superfluous, and with immense advantage to St. Andrew's University might be abolished as a divinity college. I can see no ground for resisting my proposal but the mere ground of conservatism, the determination to keep it as it is simply because it is, not justifying it or considering how best to benefit the cause of education.

Amendment proposed, in Clause 14, page 9, line 36, after "expedient," insert—

"(1) To abolish any college which may no longer be required, or to alter its functions. And in particular to inquire whether the present demand for theological instruction in the Universities of Scotland and at St. Andrew's is such as to require the maintenance of St. Mary's College, St. Andrew's, as a school for divinity students, in addition to the divinity schools of the other Universities, or whether the funds might more advantageously be devoted to other purposes in the University of St. Andrew's."—(*Sir G. Campbell.*)

*THE SOLICITOR GENERAL FOR SCOTLAND (Mr. M. T. STORMONTH DARLING, Edinburgh and St. Andrew's Universities): I cannot accept this Amendment. With regard to the first branch of it, I will simply say it is altogether inconsistent with the general spirit of the Bill, which is rather to multiply than to diminish the number of colleges. The number of colleges is not so great as to make this Amendment desirable. The hon. Member proceeds to point specifically to the College of St. Mary's, and says it is not justified because of the small number of students. But the Theological College of St. Mary's is not the smallest in Scotland, it has the attendance of about 50 students. When the hon. Member talks of 18 students, he does not refer to the existing state of things with which we have to deal. I am not ashamed to say, in reply to the hon. Member's remarks, that we do on Conservative grounds desire to maintain the college. We have some regard for the feelings of reverence and affection that have gathered round an institution which has existed for four centuries. St. Mary's has a distinguished past, and deserves the veneration which it enjoys from those who have studied within its walls. I do not think the hon. Member has stated anything to justify its destruction; and I answer his challenge by saying that it is entirely in accordance with principles we are not ashamed to hold that we stand by this ancient institution and defend it against this attempt at abolition.

MR. HUNTER: I do not rise to continue the discussion, but to make a suggestion to my hon. Friend. In principle I support his proposal, but it is expressed in a somewhat inconvenient form. It is confined to St. Andrew's, and it proposes the abolition of colleges that may no longer be required, or to alter their functions, and there may be a doubt whether the Commissioners would not be obliged to deal with the whole of a college or not at all, not dealing with one Chair only for instance. The question my hon. Friend desires to raise could be disposed of in a more satisfactory manner in connection with Sub-section 8, which gives power to found new professorships, and to which I have put down an Amendment which would, subject to compensation herein provided, enable the Commissioners to deal with individual Theological Chairs, and abolish existing professorship. This would cover the case of St. Andrew's, and would, I think, se rve my hon. Friend's purpose.

SIR G. CAMPBELL: I should like to say, in reply to the remarks of the

Solicitor General, that I quite agree in the desirability to multiply rather than to diminish the number of colleges, and I confess that I have some share in those sentimental feelings to which he alludes in regard to St. Mary's. It is a charming little college, and I should be sorry to see it abolished. I only wish to alter its functions, to change it from a School of Divinity to a school for some other purpose more required. I do not say it is the smallest of Divinity colleges, and within the last few years its attendance has equalled that of Aberdeen. The Solicitor General has frankly told us that he does not defend St. Mary's on the ground of utility, but on Conservative grounds—its age and history.

*Mr. M. T. STORMONTH DARLING: No, I did not say that. I said its history entitled it to respect, and its present condition did not justify abolition.

Sir G. CAMPBELL: I did not gather from the hon. and learned Gentleman's remarks that he showed the College as a School of Divinity was a very useful institution. My Amendment only gives expression to an opinion shared by many. Sentimental feelings on such subjects have their value, but in public institutions we must consult purposes of utility before we indulge in sentiment. But as my hon. and learned Friend the Member for Aberdeen thinks my point can be more broadly raised on a later proposal for the abolition of professorships, I will not press this Amendment now.

Amendment, by leave, withdrawn.

*Mr. J. A. CAMPBELL (Glasgow and Aberdeen Universities): This section gives power to the Commissioners to re-arrange foundations and endowments that have been in active operation for 20 years, before the passing of this Act, and I propose to extend the period to 30 years. I happen to know of one important endowment which under the clause as it stands would be brought under the purview and revision of the Commissioners to the considerable disappointment of the family of the founder. Twenty years is a very short period, and I think 30 years is a reasonable time within which a foundation should be exempt from disturbance.

Amendment proposed, line 3, to leave out "twenty" and insert "thirty."

Sir G. Campbell

*Sir ARCHIBALD ORR-EWING (Dumbarton): I think my hon. Friend might have gone a little further and have adopted the principle of the Bill of 1882 making the period 50 years. I am quite sure it would be an advantage as regards future bequests to have a longer period before any fund left for educational purposes should be subject to alteration.

*Mr. J. A. CAMPBELL: I think my hon. Friend is referring to a different subject. I think his mind is running on the Educational Endowments Act. This subject of University endowments has never before been under the consideration of the House.

Mr. BUCHANAN (Edinburgh, N.): No doubt the hon. Member for Dumbarton was thinking of the Education Endowments Act. I should like to know what is the amount of the endowments to be dealt with and the difference between the amount in the two periods of 20 and 30 years. The hon. Gentleman spoke of one large endowment he desires to have excluded, no doubt for very good reasons, but I should like to have some idea of the amount that would be excluded by his Amendment. I may point out that the period of 30 years would in effect exclude from the operations of the Commission all endowments dating from the time of the last University Commission, and that would mean a serious limitation in the powers of the Commissioners to make alterations in endowments.

*Sir LYON PLAYFAIR: I hope the Committee will adhere to the figure we have in the Bill. The world is moving very fast, and even now 20 years is a long period considering the progress in science and other subjects for an endowment scheme to remain without revision. I have at the request of the University of Edinburgh, placed an Amendment on the Paper asking that schemes may be subject to revision during the lifetime of the donor when he shall desire the revision. This is because they have found the inconvenience of there being no such power even when a donor himself desires to make his endowment more useful and in accordance with modern requirements.

Mr. CALDWELL (Glasgow, St. Rollox): I beg to support the Amendment. It is pretty well known that a provision such as that in the Bill

would have a restrictive effect on bequests. The case to which the hon. Member (Mr. J. A. Campbell) refers is one with which I am perfectly familiar, and I am aware that the legislation which permits the disturbance of the terms under which bursaries have been founded has deterred persons from carrying out their inclinations. It is a well known fact that in Glasgow there have been many instances in which people have changed their deeds of settlement on this account. Thirty years is certainly not an unreasonable time within which a foundation should remain undisturbed. As to the case referred to by the right hon. Gentleman the Member for Leeds (Sir Lyon Playfair), I do not see that there will be any difficulty in providing that if the founder desires to make some change in the terms of his bequest to meet altered circumstances, he shall, with the consent of the college or University, have the means of making the change.

MR. J. P. B. ROBERTSON: I admit the force of the observations of the right hon. Gentleman the Member for Leeds as to allowing donors power to revise their bequests, and when we reach his Amendment I shall be quite prepared to accept it. As to the subject immediately under consideration, I admit that there is much to be said in its support. Perhaps it would be preferable to adopt the period of a quarter of a century. I am prepared to alter 20 years to 25 years.

*MR. ESSLEMONT: I regret this change. We hear much of people not leaving money for educational purposes because the terms of their bequest may be subject to change. On the other hand, there are persons who object to foundations because they must tie up the fund in terms which change of circumstances may render quite inadequate for the carrying out of the founder's intention. I do not think we ought to limit the discretion of the Commissioners beyond 20 years.

Amendment, by leave, withdrawn.

Amendment proposed, to leave out "20" and insert "25."—(*Mr. J. A. Campbell.*)

Amendment agreed to.

Consequential Amendment in line 4 agreed to.

Amendment proposed, line 5, after "dormant" insert—

"Or which they may be asked to revise and regulate by the Senatus Academicus and the founder of the trust conjointly, with the approval of the University Court."—(*Sir Lyon Playfair.*)

Amendment agreed to.

MR. BRYCE: The Amendment I have to propose contains practically two propositions, and will, perhaps, be best to separate them. I believe it is pretty well known that bursaries under private patronage are not exercised to very much advantage. They do not do so much good when conferred as a favour as when bursaries are made the subject of competition, and they do not carry out the intentions of the founder. The results show a remarkable difference between the holders of bursaries given by private patronage and those not in competition; few of the former rise to eminence in the University. In the first place, I move the first part of my Amendment.

Amendment proposed, page 10, leave out Sub-section (c), and insert—

"(c) To transfer the patronage of bursaries now vested in private individuals to the Senatus Academicus."—(*Mr. Bryce.*)

MR. J. P. B. ROBERTSON: It would be well to avoid interference with private patronage, so as not to deter what may be called public beneficence. At the same time, it is most desirable that the patrons of private bursaries should be put under such limitations as would conduce to benefit of education. I venture to think that what we propose is going far enough, and accordingly I deprecate the Amendment of the hon. Gentleman.

MR. W. P. SINCLAIR (Falkirk, &c.): Will the word "individuals" include such bursaries as are held by private trusts?

THE CHAIRMAN: That will come on later.

Question, "That these words stand part of the Clause," put, and agreed to.

*MR. J. A. CAMPBELL: I now move to insert after the word "individuals" the words "or corporate or other bodies." The object is not to interfere with the patronage of bursaries by individuals or corporate or other bodies, but to give the Commissioners power to make

regulations so as to secure that these bursaries will be usefully employed. This subject was under the consideration of the last Universities Commission, and they expressed the opinion that there should be some regulations to guide the application of the bursaries.

Amendment moved, Clause 14, page 10, line 16, "after 'individuals' to insert 'or corporate or other bodies.'"—(*Mr. J. A. Campbell.*)

Question proposed, "That those words be there inserted."

MR. J. P. B. ROBERTSON: The method of dealing with the matter proposed by the hon. Gentleman seems to me to be the right one. I do not think it is possible to distinguish between the case of individuals and corporate bodies.

MR. BUCHANAN: I do not know how far the proposal of the hon. Gentleman will go. So far as Edinburgh is concerned, a good many bursaries are left for the benefit both of the University and the Town Council. The Town Council have a great variety of them, and they impose the regulations. For instance, in some cases they provide that the bursaries shall be given amongst poor students, only so that before a student can obtain one of them he must prove his poverty. I quite see that the Commission ought to be empowered to make regulations, but I should deprecate the Commissioners having power to step in between a body like the Town Council and these trust funds in order to vary the conditions under which those funds are dispensed. They should not have power to vary them, so to speak, away from the poor.

MR. J. P. B. ROBERTSON: The case the hon. Member refers to is, no doubt, one where the judicious administration of the patrons would render interference unnecessary or, at all events, make the regulation of an extremely slight character. I do not for a moment believe that regulations would be imposed which would upset the purposes of the trust so as to transfer to one particular class that which was meant for another. The matter is one that I am certain the Commissioners would examine into very carefully by framing any general regulations, and in regard to which, if they erred at all, it would be on the side of abstaining from interference.

*MR. ESSLEMONT: On this matter I would vote for the Member for the Universities of Glasgow and Aberdeen. I have had large experience of the administration of these bursaries by corporate bodies, and I agree that it is not at all in the interest of education that that administration should be left unrestricted. It often happens that bursaries administered by a town become useless, and that it is necessary in such cases that regulations should be laid down so as to make them beneficial.

MR. CALDWELL: In the case of "individuals" you may be dealing with a bursary left by a man who has been dead 25 or 30 years, whereas in the case of a corporate body you are dealing with an existing patron, and that is the reason why, in former Acts, these words "and corporate or other bodies" were not inserted. If you add these words it will be inconsistent later, or to accept the Amendment of the hon. Member for Dumbarton (Sir A. Orr-Ewing).

DR. CLARK (Caithness): Corporate bodies are often bound by wills and by conditions which they themselves would like to see done away with, so as to give them more liberty and freedom. Moreover, the Commission which will be established will be a Conservative body, which will not deal remorselessly with these bursaries.

MR. WALLACE: I do not understand the argument of the Lord Advocate that corporate bodies and individuals stand on the same footing in this connection, and that if the clause is necessary in the case of individuals it is also necessary in the case of corporate bodies. That seems to me to be a denial on the maxim that "two heads are better than one." We may take it that the fact of the patrons being corporate bodies will be greater security for judicious dealing than if they were fortuitous individuals. In 1870 the principal of the University of Edinburgh, reporting on the mode in which the Municipality of Edinburgh had dealt with the large revenue, which they have on trust, in the form of bursaries, acknowledged in the strongest terms, on behalf of the Senatus, the admirable management of the Town Council and the business-like way in which the

records of the management were kept. He also stated that the students holding the Town Council bursaries were always well selected and superior, owing to the pains taken by the Municipal Education Committee. There is an element of public opinion necessarily developed on a large body, and a salutary effect in the way of mutual criticism, which cannot be found in the case of an individual. Accordingly, I am not at all satisfied that it will be advantageous to put public bodies and semi-public bodies on the same footing in these respects as individuals.

MR. J. A. CAMPBELL: The last Commission reported that no bursar should hold his bursary for more than one year unless he passed a satisfactory examination, and it is with the view of introducing such a regulation as that, and to secure that bursaries shall not continue to be held from year to year by young men who are not profiting by them, that I move this Amendment.

*MR. CHILDERS (Edinburgh, S.): I think the remarks of the hon. Member are much to the point. His Amendment, however, if engrafted on the clause, would go too far, as it would do more than restrain an error of the kind he mentions. It would give power to frame regulations as to the way in which appointments to bursaries should be made, but not as to the tenure of bursaries only. I would sugge t that an Amendment to carry out the intention of the hon. Member should be framed and considered on the Report stage.

MR. J. P. B. ROBERTSON: All this will be qualified by words in the Bill, which provide that the attention of the Commissioners must be arrested by something wrong before they proceed to frame regulations.

*MR. CHILDERS: That is clear and proper; but the present Amendment goes not so much to the conditions under which a bursary should be held as to the conditions under which the patronage should be exercised. I do not, therefore, think the Amendment should be pressed now.

MR. HUNTER: I hope it will be pressed, as it is a most salutary and useful Amendment.

MR. J. P. B. ROBERTSON: I will accept the Amendment of the hon. Member; but I will undertake to reconsider the matter before the Report stage to see what can be done.

Question put, and agreed to.

*MR. HALDANE (Haddington): I beg to move, with regard to paragraph (d), which gives the Commissioners power to transfer the patronage of professorships now vested in individuals or bodies "other than the curators of the University of Edinburgh" to the University Court, to omit the words excepting the curators of the University of Edinburgh. This Amendment will, if accepted, place the curators of the University of Edinburgh on the same footing as everybody else in the matter of the patronage of professorships. The Lord Advocate on the last Amendment said the powers of the Commissioners were powers which were to be exercised only after due inquiry and consideration of all the circumstances. I desire emphatically to say that in moving the Amendment I make no charge against the curators or the council of the University of Edinburgh, who constitute the majority of that body; but I wish to point out that it is remarkable that in this Bill there should be in the case of the curators of the University of Edinburgh, and of Edinburgh only, this anomaly—that the exercise of this patronage is not to be subjected to scrutiny. Many people believe that if the patronage is looked into it will be found that it is exercised properly. In that case the Commissioners would not interfere. If, on the other hand, it was found that in the 20 years that have elapsed since the last Scotch University Act was passed the patronage has become an anomaly and ought to be dealt with, they would deal with it. It is said that some sort of bargain was entered into on the passing of the last University Act; but though I have looked into the matter I do not find evidence of that bargain. I find that the Town Council of Edinburgh opposed the clause that transferred the patronage to the curators. The Government of that day proposed this Amendment as a kind of compromise, with a view to getting rid of that opposition; and, really, I think after 20 years the time has come for committing the matter to so eminently a Conservative body as this Commission will be. The University Court for Edinburgh

University has exclusive patronage of one chair and partial patronage of another, while the curators have the exclusive patronage of 16 chairs and the partial patronage of eight.

Amendment moved, Clause 14, page 10, line 18, leave out from "bodies" to "to," in line 19.—(*Mr. Haldane.*)

Question proposed, "That the words proposed to be left out stand part of the Clause."

MR. J. P. B. ROBERTSON: While I am bound to admit that the hon. Member has pointed to a very singular anomaly in the patronage of the Edinburgh University, I must point out that he seems to disregard the fact that the Town Council of Edinburgh held that faculty for a very long time before the Act of 1858 was passed, and I am not prepared to upset the arrangement then made. It must have occurred to the hon. Gentleman that it is matter for consideration whether the curatorial body should not be allowed to remain with other elements in it. At present the curators consist of seven persons, of whom four are nominated by the Town Council and three by the University Court. The duty of the Town Council and the University Court is to put aside all idea of competing influences and select the persons best qualified to act. That is the policy of the Act of 1858.

Question put, and agreed to.

MR. BRYCE: I have an Amendment here, the object of which is to enable the Commissioners to transfer the patronage vested in the Crown to the University Courts. My Amendment is not a direction to the Commissioners, but merely gives them a power, and the Commissioners will not be obliged to take any patronage out of the Crown unless they are clearly satisfied it will be better vested in the University Courts. I think the new Courts will be better able to exercise the extensive patronage now vested in the Crown than the Crown itself. There are at least *primâ facie* reasons for allowing the Commissioners to consider the question.

Amendment proposed, in page 10, line 20, at end of Sub-section (d), to insert the words—

"(e) To transfer (with the consent of the Crown) to the University Court the patronage of professorships now vested in the Crown."—(*Mr. Bryce.*)

Question proposed, "That those words be there inserted."

MR. J. P. B. ROBERTSON: I am not prepared to accept the Amendment now before the Committee, but I am prepared to accept that of the right hon. Gentleman the Member for Leeds. The Amendment I refer to is this—

"Clause 14, page 10, line 20, after 'Court,' insert the following sub-section:—(e.) To prepare a scheme by which a detailed and reasoned report on the qualifications of candidates for chairs may be submitted to the patrons so as to assist them in the discharge of their patronage."

This announcement will, I hope, induce the hon. Member for Aberdeen (Mr. Bryce) to consider whether he ought to go on with this Amendment.

*SIR G. TREVELYAN (Glasgow, Bridgeton Division): I am on the whole somewhat disappointed by the concession the Lord Advocate proposes to make, because I think it will not meet the views put forward by my hon. Friend (Mr. Bryce) in such a way as to command my warm sympathy as an ex-Secretary for Scotland. Although there is a certain value attaching to the Report of an academical body that Report is very different from their decision as to what professor should be selected. We all know that when a number of men have to make a Report as to the qualifications of a person in their own profession they will doubtless make a very practical one up to a certain point, but they will stop short just at that point where they ought to be most pronounced. I consider the suggestion of my right hon. Friend the Member for Leeds (Sir L. Playfair) is quite inadequate as a substitute for the Motion of the hon. Gentleman the Member for Aberdeen, and as one who has had experience in making such an appointment I think it most important that in such matters patronage should be taken out of the hands of the Crown. In my own time, as Secretary for Scotland, the appointment to a Chair, in regard to which if I were competent to form an opinion on such a matter at all, I ought to have been able to exercise some judgment, fell vacant. I fancied I had some knowledge of the special branch of learning to which the professorship related, but when I looked into the matter

I found that my experiences was sadly rusty—as rusty, indeed, as my recollection of what was taught in that particular department of knowledge, because I had not followed the careers of the men eligible for the appointment. I believe there was no complaint when the appointment was conferred—far from it—but the trouble it gave me was enormous, as I had to create the best substitute for a University Court I could devise by applying for competent advice in many quarters. I had, by way of comparison with my own case, the opportunity of observing the action of the Committee of the Council of a great Scotch University in a similar appointment some time before, and I do not particularize, because I do not wish to praise two members of that Committee (Mr. J. A. Campbell and Mr. Orr Ewing) to their faces. The contrast between the advantages possessed by the Committee, who made that appointment, and the means of knowledge which I possessed as Secretary for Scotland was very great, because, in the first place, they had much more ample time on their hands, and in the next they had much fuller and more complete information than I had to draw upon. I must own that I was never more impressed with the excellence of the process by which such an appointment was made than on that occasion. Now, if, instead of being called on to make one appointment in the course of the few months I held that office, I had had to make five or six, or even more, the difficulties I then expressed would have been largely increased.

MR. D. CRAWFORD (Lanark, N.E.): I think we have all had some opportunity of observing the way in which Crown patronage is exercised in these professional appointments, and for my own part, having for several years had an opportunity of observing the process from an inside point of view, I can fully confirm the remarks of my right hon. Friend (Sir G. Trevelyan) and my hon. Friend who moved the Amendment. I am not without some experience of how very great is the ignorance of the Departments as to who is the best person to receive a particular appointment. Often with the best intentions in the world the more they try to realise this desideratum the more they find how impossible it is to get correct information on which to arrive at a satisfactory conclusion. This being so, it follows that other considerations and influences are too apt to creep in; and looking at the matter as a whole it is impossible for anyone who knows enough about it to say that the administration of Crown patronage, though I have no doubt it is always performed with perfect integrity, is really satisfactory. The only real doubt is as to whether the University Court will discharge this function any better. I am inclined to think it will. I do not say this with perfect confidence; but at any rate we are already committed to the policy of this clause whereby the patronage of all University professorships is to be entrusted to the University Court, and what we have now to do is to try and make that Court as good an instrument for the exercise of that patronage as possible. I therefore venture to support the Amendment now before the Committee.

*SIR LYON PLAYFAIR: I wish to point out that the Amendment I have put on the Paper was not placed there as a substitute for that of my hon. Friend; it is directed against both Government and private patronage. I must confess that when I sat here as Member for a Scotch constituency, one of the most disagreeable portions of my duties, in consequence of my long connection with the Universities of Scotland, was when I was pressed to use my influence in regard to the patronage of the University Chairs. It was an excessively disagreeable thing to be called on to make a selection. I remember the case of one of the most enlightened of our Scotch University men—one who has lately died, and whose correspondence was recently published — Principal Tulloch. I see that in one of his letters he shows that he was exceedingly disappointed and angry because I would not support the claim to patronage in his own case. Now, I did not know that I had anything to do with the matter. It was not an appointment to a Professorial Chair; but he, no doubt, thought that as a Scotch Member I was bound to have supported his claims, and felt aggrieved that I did not support them. Now, I think that this is a position in

which the Scotch Members ought not to be placed. This exercise of patronage or influence is exceedingly disagreeable to those who are called upon to use it, especially when it is attempted to import political considerations into the endeavour to move Scotch Members to the support of particular candidates. The Government, I think, would do an immense amount of good if they would transfer this patronage from the Crown and place it in the hands of the University Court, and so divest it of any association with political influence.

MR. A. J. BALFOUR: I entirely concur with the general tenour of the remarks just made by the right hon. Gentleman the Member for Leeds, and also by the right hon. Gentleman the Member for the Bridgeton Division of Glasgow. I think the very nature of the case with regard to the patronage exercised in these cases shows that it is one from which politics should be absolutely excluded, and if the question before the Committee were simply whether we should retain or abandon Crown patronage, I should be inclined to give my vote for its abandonment. But we have to consider the question whether Crown patronage does not afford a better machinery than is obtainable in the case of mere University control. It is my belief that it does. I think there can be no doubt that if the Crown patronage be abolished it may not be so well administered in certain cases. In the case of the University Court there are two qualifications—namely, information and leisure, and if with their knowledge of the case they are obliged to bring before the bar of public opinion the reasons inducing them to prefer this or that candidate they will be precluded from any suspicion of jobbery, and the Minister who for the time being has the disposal of the Crown patronage will have no difficulty in making a proper selection. In these matters it is a very delicate matter to make the selection, and it is not easy openly to discuss the different considerations that arise without offending various susceptibilities and prejudices. And, moreover, it is probable that the University Court may be apt to select not the best man, but the man who is the best known to them. If there be two candidates, and one of them has only a University reputation, while the other is a man of European repute, the first of these, of course, being extremely competent, and with the additional advantage of being thoroughly known as one who has worked in the University itself, the Court would be apt to say, "That is a man who has done good work among us; here is an opportunity of giving him promotion," and the consequence would be that they would appoint him and reject the one who was really the better man. It would, however, be impossible to do this if the Court be called on to make public the grounds of the selection. The reason I desire to retain the Crown Patronage is not that I think it the best thing we could have taken by itself, but I think that the University having practically all the knowledge, and being obliged to lay before the Minister of the Crown their reasons for the selection, the Crown will be justified in making the appointment without being open to the charge—I will not say of jobbery—but of being influenced by political considerations or any other kind of objectionable machinery.

MR. HUNTER: I am glad that for once I am able to agree with the right hon. Gentleman the Chief Secretary for Ireland; but I would point out that in the debate on this subject no reference has been made to the fact that this question was thoroughly threshed out before the Royal Commission of 1878. That Commission, of which the right hon. Gentleman the Member for Leeds was an influential member, examined the subject with the greatest care and dealt with all the difficulties surrounding the problem. What were those difficulties? In the first place, it is most important in a Scotch University to get the best man we can because the appointment is for life, and he is charged with functions of great moment to the University. Next in importance is the desirability of having some mode of selecting professors which would ensure public confidence. Young men who have the necessary attributes for developing into good professors will not devote the time and attention necessary to qualify them for professorships, because under the existing system there is no certainty of their being appointed. Then there is always the difficulty of finding who is the best man, and then comes the difficulty of finding a dis-

Sir Lyon Playfair

interested authority who would appoint the best man. In the existing University Courts this difficulty is partly overcome by a method which has been in use for many years, the principle adopted being the division of labour between two bodies—one body having the selection of the professor, and the other having the election, there being, first of all, the sifting of the claims on the part of the candidates by the Senatus, and then the election by the Council, so that while the election, if left to the Senatus, might be made a matter of jobbery, and, if left to the Council, want of special knowledge might lead to the appointment of a man not properly qualified, the result is that, on the whole, the matter being left to the two great authorities of the Universities, a very distinguished class of men has received the available professorships. What the Royal Commission of 1878 did was to recommend that patronage in England should be extended to Scotland, and, perhaps, under the circumstances in which we find ourselves, the Amendment of the right hon. Gentleman the Member for Leeds being accepted by the Government, the best thing that could be done would be for my hon. Friend to take the course I propose to adopt in regard to some Amendments I have put down, and withdraw it in favour of that of the right hon. Gentleman. On the question of University experience, I may state that there is abundant evidence in the Report of the Commission of 1878 showing that the University Courts were influenced by political, social, religious, and other considerations which ought not to be introduced into matters of this kind.

MR. BRYCE: I regret that I cannot see my way to the withdrawal of my Amendment. It seems to me a matter of great importance that we should take beyond the range of political influence every piece of patronage that can be so removed. With regard to the Amendment of the right hon. Gentleman the Member for Leeds, the Report that would be required would not necessarily be a public document. In fact, it could not be a document of such a character, otherwise the Committee could not state all the reasons by which their action might be influenced. With regard to the suggestion of the hon. Member for Aberdeen as to double action by the authorities, that is a plan which combines selection and election in an admirable manner, and if my Amendment be carried, I shall propose in a subsequent Amendment to adopt that principle by providing for Reports by the Senatus Academicus being laid before the University Court. As it is, I am unable to withdraw my Amendment.

*MR. CRAIG SELLAR (Partick): It seems to me that whether you exercise patronage by the Court or by the Crown, there must be some difficulty. If you leave it with the Court you will have pressure put upon that body, by friends of the Candidate in the locality, and if you leave it to the Crown you will have a continuance of the political pressure which has been referred to. The Crown, however, is responsible to this House, and can be called to account in this House, while the University Court is responsible to nobody. I should advise the hon. Gentleman the Member for Aberdeen to withdraw his Amendment.

The Committee divided:—Ayes, 113; Noes, 193.—(Div. List, No. 162.)

MR. BRYCE: With regard to the second part of my Amendment, I may say that as I see my right hon. Friend the Member for Leeds, and my hon. Friend the member for Lanarkshire, have both put down Amendments to the same effect, and as the wording of those Amendments follows more exactly than mine the recommendation of the Commission of 1878, I will not persist in my Amendment, but will withdraw it in favour of that of the right hon. Gentleman the Member for Leeds, which I understand the Government are willing to accept.

Amendment, by leave, withdrawn.

MR. HUNTER: I have now to move the Amendment which stands in my name.

Amendment proposed, and Question put, Clause 14, page 10, line 20, after "court," insert—

"Provided also, that where a professorship, the patronage of which is so transferred, shall have been maintained, or partially maintained, by funds provided annually or periodically by any corporate or other body, in which, or in the governing body of which, such patronage shall, in consideration of such annual or other periodical payment have been vested, it shall upon such transfer be in the option of such

corporate or other body to cease making such annual or other periodical payments."

Amendment agreed to.

SIR A. ORR-EWING: I beg to move the Amendment, which stands in my name as additional to Sub-section (d) —namely, Clause 14, page 10, line 20, after "Court," add—

"But nothing in this sub-section shall apply to any bursary or endowment granted by any incorporation or society whose funds, capital, or revenue have been and are contributed and paid by the members of such incorporation or society by way of entry moneys or other fixed or stated contributions."

MR. J. P. B. ROBERTSON: I am glad to say that I accept the Amendment of my hon. Friend.

Amendment put, and agreed to.

MR. WALLACE: I beg to move an Amendment, the object of which is to protect poor scholars against the danger of their being sacrificed to what I consider the moloch of scholarship. This Amendment is called for in the circumstances of Sub-section (a), I would here ask the Committee to consider the wording of that sub-section. It provides that the Commissioners shall have power

"To alter the conditions or directions affecting the same."

That is the foundations, mortifications, gifts, endowments, and bursaries—

"If it shall appear to the Commissioners that the interests of learning and the main design of the donor, so far as is consistent with the promotion of such interests, may be better advanced by such alteration."

Now the words

"So far as is consistent with the promotion of such interests,"

seem to me to be very significant. The main design of the donor, whatever it may be, is thereby to be sacrificed to the interests of learning, and the interests of learning cannot be effectively secured otherwise. Now, if the main design of the donor is simply to have certain poor scholars educated, the effect of this will be that the interests of learning are to be paramount to their interests and prospects. And the effect of the clause as it stands will be that such scholarships or bursaries will necessarily go to that class of persons who have been rich enough or fortunate enough to procure some high preliminary training. In another part of the clause it is provided that the Commissioners are,

"Where it shall seem requisite, to frame regulations under which the patronage of existing bursaries vested in private individuals shall be exercised."

Then under Sub-section 5 the Commissioners are

"To regulate the management and ordering of the Universities, and the manner and conditions in and under which the students shall be admitted thereto and in particular (a). The amount, manner of payment, and appropriation of fees, and other payments made by students."

In the Report of the Royal Commission of 1878 it is recommended that the Commissioners might be authorized to make regulations for raising the fees in most of the colleges, and under those circumstances it seems to me that there is a danger that the rights of the poor scholars may be overlooked, and that the main or only thing in the eyes of the Commissioners will be how they can most successfully secure the existence of a learned class. I do not at all deprecate that object, but I think there are two points in connection with the provision of learning that must be kept in view in considering these things—namely, that we have not only to consider the elevation of national learning, but also its equal diffusion. In my opinion the horizontal movement of learning is just as important as its vertical movement, and I am not at all certain that there is no danger of the diffusion of learning being forgotten in the endeavour to elevate the standard of it. In a petition presented to this House by a convention of the Royal burghs and signed in their name by the Lord Provost of Edinburgh, who has been accepted by this Committee as a member of the University Court for the Edinburgh University, the petitioners express their opinion that the proposal to alter the conditions on which the endowments, foundations, and bursaries have been based by private donors of upwards of 20 years ago, is unjust both to the donors and to the humbler classes of the people, and they go on to show the danger thereby created with regard to the prosperity of the Universities. My own fear is that in the desire to ensure a more highly learned class than that which now exists in Scotland, sacrifice will be made of the interests of the aspiring poor, and of the kindly intentions of the donors. It is not right to leave out of account the prospects,

hopes, and ambitions of the moderately intelligent portion of the poorer class. We ought not to lay down a hard and fast rule that good can only be done by finding out who are the absolute geniuses among the meritorious poor and encouraging them to the detriment of the rest; and I do not think there need be any controversy as to the fact that the diffusion of the higher learning, even among the moderately gifted poor, must prove a good and useful thing in all respects in which University education is of advantage to the country. I hold that the objects to be gained by securing that the moderately gifted among the intellectual poor shall have the opportunities afforded by the Universities are of a high order; that it is important to secure the happiness of a considerable portion of the community in whatever way that can be done, and that it is quite certain that the intellectual class among the poor will be made happier if they are assisted in attaining positions in which their learning may be made useful than if they are left to the prosecution if those duties and occupations which are beneath their natural endowments. It is one of the great ends of all Government to promote the wellbeing and happiness of the substantially largest class of the community; and I may say that while one of the considerations I have in view in this Amendment is that of helping the intellectual class of the poor to a position in which they can use their gifts appropriately, another object is to advance the capabilities and efficiency of the public service. With these views of the possible danger to which the poor scholar may otherwise be exposed and of the necessity of safeguarding the interests of this particular class, I hope the Amendment I now move will meet the acceptance of the Government.

Amendment proposed, Clause 14, page 10, line 20, after "Court," insert—

"Provided always, that no such alterations or regulations made or framed as in this sub-section provided shall have the effect of diminishing the advantages provided for poor students by such foundations, mortifications, gifts, endowments, or bursaries aforesaid."—(*Mr. Wallace.*)

Question proposed, "That those words be there inserted."

MR. J. P. B. ROBERTSON: I am sorry to say I am unable to accept the Amendment moved by the hon. Gentleman in the form in which it now stands, although I fully concur in the object he has in contemplation which is the benefit of that class of bursaries, which by the direction of the donors are destined for the poor. I would point out that one of the powers already conferred on the Commissioners in Committee on this Bill is

"To alter the conditions or directions affecting the same if it shall appear to the Commissioners that the interests of learning and the main design of the donor so far as is consistent with the promotion of such interests, may be better advanced by such alteration."

I am prepared to carry out the suggestion of the hon. Gentleman as far as I can, but I do not think his Amendment would be very effectual for the purpose he has in view, and I would therefore suggest that the Amendment should read—

"Provided always, in framing such regulations, and making such alterations, the Commissioners shall take care not to diminish the advantages provided for poor students by such foundations, mortifications, gifts, endowments, or bursaries aforesaid."

MR. CALDWELL: I would point out that this is provided for in Section 15 of the Act of 1882.

MR. J. P. B. ROBERTSON: Yes; I think we are all of us familiar with that, and with the satisfactory results that have flowed from it.

MR. WALLACE: I am glad the learned Lord Advocate has taken so favourable a view of this matter, and I shall be happy to accept his proposal, and withdraw my Amendment in its favour.

Amendment, by leave, withdrawn.

Amendment proposed, in Clause 14, page 10, line 20, after "Court," insert—

"Provided always, in framing such regulations and making such alterations, the Commissioners shall take care not to diminish the advantages provided for poor students by such foundations, mortifications, gifts, endowments, or bursaries aforesaid."—(*The Lord Advocate.*)

Amendment agreed to.

Amendment proposed, in Clause 14, page 10, line 20, insert the following sub-section—

"(e) To prepare a scheme by which a detailed and reasoned report on the qualifications of candidates for chairs may be submitted to

the patrons so as to assist them in the discharge of their patronage."—(*Sir Lyon Playfair.*)

Amendment agreed to.

MR. E. ROBERTSON: I have next to propose Clause 14, page 10, line 26, insert—

"And to abolish the Faculty of Theology, and transfer to the Faculty of Arts such professorships of the Faculty of Theology as they think fit."

I may point out that this Amendment does not in any way anticipate the Amendment to be moved later on on the question of tests. This deals with an entirely separate subject, and one of considerable importance; but I shall not be misunderstood when I say I propose to deal with it in the shortest possible way, in order to save the time of the House. The proposal I make is that theology in the Scottish Universities should cease to exist as a separate faculty. I will not now enter into the question at large. I will not ask whether theology is a philosophy or a science, but I may point out that the subject of philosophy has this peculiarity—that there is a total absence of that common ground of admitted facts which we have in other sciences. There is, on the other hand, the presence throughout the entire field of the subject called theology the most vital and fundamental controversy, and, therefore, the State should not interfere with it in its University institutions. The Faculty of Theology, considered as a group of teaching Chairs, is not entirely open to that remark. There is nothing in the study of Hebrew to raise irritating questions. The same may be said of ecclesiastical history; and I am not sure whether it may not be said about the Chair of Biblical Criticism. I am perfectly willing to leave that to the Commission. I propose that the Commissioners should have power first to abolish theology as a separate faculty, and then take such Chairs as in their opinion may not be teaching Chairs, and transfer them to another faculty. I and my Liberal Friends hold that the Faculty of Theology, so far as it is engaged in dogmatic and creed teaching, ought not to be recognized by the State at all; and in so far as it does not attempt to teach creeds, I am perfectly willing that the Chairs should continue to exist. I believe this Motion will have the warm and universal sympathy of those in Scotland who are sincere in their demand for religious equality, and with reference to the line taken by the United Presbyterian Church, in my opinion the courage, consistency, and fearless logic with which that section of the Presbyterian Church has carried out its views in all branches entitles it to the warmest admiration of the Liberal Members of this House. It is not merely in connection with the Universities and the Church Establishment, but in every Department in which the State interference thrust into the field, this large body has acted in a manner which commands the warmest approval. They wish to abolish denominational teaching everywhere.

An hon. MEMBER: Not in schools.

MR. ROBERTSON: Yes, in schools; they are disestablishers everywhere.

Amendment proposed, in page 10, line 36, after the word "faculties," to insert the words—

"And to abolish the Faculty of Theology, transferring to the Faculty of Arts such professorships of the Faculty of Theology as they may think fit."

Question proposed, "That those words be there inserted."

Mr. M. T. STORMONTH DARLING: I hope that the hon. and learned Member will not press this Amendment. It seems to me a little strange and remarkable that a proposal of this kind should come from one who is so admirable a representative of a Scottish constituency, because I think that if there was one Faculty in the world which is congenial to the genius of the Scottish people it is the Faculty of Theology, and also in Scotland, of all countries of the world, it is very suitable to have that Faculty, because between 80 and 90 per cent of the people think exactly the same way, and hold substantially the same creed, though divided into a great number of bodies. But the proposal has a practical side. These are general considerations which should influence the counties. It is the business of the Universities to give that teaching for which there is a general demand, and so long as the Presbyterian Churches exist in Scotland there will, I suppose, be a certain demand for the particular teaching they require. It may be urged that it is not necessary for this purpose to have Universities in the different parts of the country, but I may remind the House that Divinity students are

very commonly drawn from classes of the population which are not rich, and thus it is a great advantage to them to be able to pursue their studies close by their own homes, and the adoption of the Amendment will therefore simply handicap them. With reference to the proposal to transfer certain Chairs, as I read the Bill, power is given already to the Commissioners by this very subsection to do so.

*MR. ESSLEMONT: I shall support my hon. Friend if he takes a Division on the Amendment. It is a fact, I believe, that at the present time we have in the Free Church 310 Divinity students studying Theology; in the United Presbyterian Church 114, and 18 belonging to other denominations, making those who are prohibited by principle from attending the Chairs of Divinity at the Universities 442. There are attending the Established Church only 240 who can receive theological instruction from the University, and we have therefore got a majority of 202 students who are prohibited from taking their theological education through the Universities. It is notorious that the Church established by law is the richest in the country, and has within its membership the largest amount of wealth proportionately to its numbers; yet the dissenting bodies are educating at their own expense 202 more students in Theology than the wealthier Church. What we claim is that those who undoubtedly teach denominational Theology should pay for their own specific dogma, and that we should not have these richly endowed Chairs restricted as they now are. Believing that it is no part of the duty of the State to provide specific Theology for any part of the community, I shall support the Amendment of my hon. Friend.

MR. E. ROBERTSON: As it is now a quarter to seven, and as an opportunity for discussing this question will arise on the Amendment as to religious tests, I would suggest that a Division may now be taken.

MR. BUCHANAN: I wish to ask the Solicitor General for Scotland a question. Do I understand him to say that in the opinion of the Government the Bill as it at present stands the Commissioners would have the power to transfer say the Chair for Hebrew to one of the other Faculties?

SIR GEORGE CAMPBELL: What is to become of my Amendment? I wish to vest power in an University to abolish the Faculty of Theology or of Medicine.

DR. CLARK: I should like to know is this a farce. Such an important question of abolishing the Faculty of Theology is worth more than 10 minutes' discussion. I think we ought to discuss the principle once and not on three or four occasions. I, therefore, move to report Progress, as there is no time to proceed with the discussion to-night.

MR. A. J. BALFOUR: I hope the hon. Member will agree to the suggestion of the hon. Member for Dundee.

DR. CLARK: No; I do not think it is right to allow this question to be hurried through without discussion. I am in favour of the Amendment, which contains a simple practical question, whether the Established Church of Scotland should have its Divinity Faculty subsidized by the State.

THE CHAIRMAN: Order, order! The hon. Member is wandering from the Motion to report Progress.

Motion made, and Question, "That the Chairman do report Progress, and ask leave to sit again," put, and agreed to.

Committee report Progress; to sit again upon Monday, 1st July.

SANITARY ACTS (METROPOLIS) AMENDMENT BILL. (No. 246).

Order for Second Reading on Monday 1st July read, and discharged.

Bill withdrawn.

PARLIAMENTARY FRANCHISE (EXTENSION TO WOMEN) BILL. (No. 10)

Order for Second Reading this day read, and discharged.

Bill withdrawn.

Attention called to the number of Members present. House counted, and 40 Members found in their places.

ORDERS OF THE DAY.

SUPPLY.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

SALES OF IRISH ESTATES BY LONDON COMPANIES.

*Mr. LEA (Londonderry, S.): I beg to move that a Select Committee be appointed to inquire into and report upon the circumstances attending the acquisition and sale of the Salters' Estate, and of such other London Companies as have sold, or are in treaty to sell, their Irish estates. When the renewal of the Ashbourne Act was under discussion last December, a good deal of indignation was expressed in the House that London Companies should sell their estates and take away the proceeds without any consideration of the objects for which these estates were granted, and I then gave notice to move for a Committee of Inquiry into the subject. I should have been glad if I could have brought on this Motion at an earlier period of the Session, when the subject would have received a more exhaustive inquiry than it can now receive. I am not aware of any reasonable opposition to my Motion, and I cannot imagine why this inquiry should be refused, and it seems to me that the London Companies above all people, should court inquiry after the charges made against them, if they have no reason to be ashamed of the action they have taken. But I am afraid they do fear that the inquiry would show that they have not held to the conditions under which the estates in the North of Ireland were granted. It appears from the terms of my Motion that a double view may be taken of the Committee for which I move, and that double view arises from one and the same cause. I wish for inquiry, firstly, into the treatment the agricultural tenants have received at the hands of the London Companies, but there is a larger question behind, because the tenants also include clergy of all denominations, shopkeepers, tradesmen, and labourers. From all of these come complaints that the Companies have not complied with the conditions upon which these estates were granted. I am bound to say that from the facts that have come to light, it seems to me a policy of "grab all" has taken possession of a certain number of the London Companies, they seem to wish to take everything they can get and to give nothing in return. They seem to me to have acted in a manner unworthy of that liberality for which the City is famous, and unworthy of the reputation of Englishmen. It would be discreditable to the House not to attempt to stop this action, which, I think, is doing great injury to Ireland. I am informed that a good many members of the City Guilds are in favour of the course I am taking; that the Courts do not represent the feeling of the Liverymen, and that these would rejoice if some measures were taken to remedy the grievances complained of. I have put the Salters' Company in the forefront of my Motion, and my reason for this is that the Salters' Company were the last to sell their estate, and their action was made the subject of much discussion last year, and is the subject of much indignation in the north of Ireland. Some questions have been asked in the House in respect to the action of the Salters' Company before the Land Commission and in a Court of Law. It appears that this Company did not, when selling their estate, consider the spirit of the Ashbourne Act, but they took from their tenants promissory notes for the amount of arrears due and tried to enforce payment of these notes in a Court of Law, thereby endangering, as I think, the payment of instalments under the Ashbourne Act. We who believe in the importance of this Act for the welfare of the whole of Ireland, are bound to take care that the operation of the Act is not endangered by the action of any selfish London Company. The Salters' Company brought an action against one of their tenants, named McKee, for the recovery of arrears after he had bought his holding under the Ashbourne Act. This action was thrown out of Court on a technical objection; but the Company, not satisfied without their "pound of flesh," brought an action against another of their tenants, named Badger, and they not only tried to get their arrears but they tried to enforce payment of the previous and higher rent than the judicial rent. Judgment was given in this action for the Salters' Company; but, as showing the spirit of the action, the jury recommended the Company to take a lenient view of their rights against the tenant, and the remarks of the Judge tended in the same direction. I am not aware that any private landlord has ever attempted

to enforce such an unworthy claim; but the bad example was followed by another London Company—the Drapers' Company. They, during the last three years, have tried to sell their estate, and they came to an arrangement with the great bulk of their tenants. Now, I cannot understand the policy pursued by the Drapers' Company. They have not been illiberal landlords in the past. I find from the Report of a Committee of the Company, issued in 1817, that fair consideration was shown to their tenants, and witnesses before the Royal Commission in 1882 stated that the Drapers' Company had given very reasonable reductions of rent. Before the Land Act of two years ago had passed enforcing a percentage of reduction on judicial rents the Drapers' Company had made a reduction of 15 per cent in their rents, and 30 or 40 years ago, in famine time, they made liberal advances and grants to their tenants for seeds. It is the more to be regretted that after a record of liberality towards their tenants they should now adopt a directly opposite course, opposing grants for churches, chapels, and schools, such as were given in the past, and trying to enforce the uttermost farthing from their tenants in the sale of their estate. The Land Commissioners have refused to sanction the sale of the estate on the terms offered by the Drapers' Company; and I think the Company should welcome an inquiry which would give them the opportunity of setting themselves right before public opinion. I do not propose to deal with this case in detail; it does not seem to be necessary. The Land Commissioners have refused to sanction the sale; and not only that, the Chief Secretary has, in answer to a question, stated the action of the Drapers' Company to be extremely discreditable. I have heard Members of the House, and not only those who sit on this side, describe the conduct of the Company as scandalous. I need not lengthen my speech with details, only this I will mention—that since the refusal of the Land Commission the Company have issued notices to their tenants of the most stringent kind in regard to arrears, creating the greatest indignation throughout all the district where the estate is situated. Their action is entirely opposed to the spirit in which the Ashbourne Act has generally been understood and administered. But I am not asking for a condemnation of any of the City Companies. I am only asking for a full and fair investigation into all the charges and allegations made. Having made this brief reference to what I may call the greedy policy of the London Companies, I now come to the complaint made by the people of the North of Ireland of the abstraction of large sums of money from the country. There is general indignation on this account throughout the whole of Ulster, that the Companies pay no heed to the conditions upon which the lands were granted in selling their estates. I do not pretend to maintain that these Companies should not sell their estates. It is desirable that the property of absentee landlords—and these Companies are absentee landlords—should be sold to the occupying tenants; that is carrying out the principle we so much wish to encourage, that the tillers of the soil should own the soil they till; but, at the same time, we do complain that the money should all go to London, where it certainly was not earned, and devoted to purposes for which it was never intended. Inquiry should be made into all the surroundings of the case. I remember the noble Lord the Member for Paddington (Lord Randolph Churchill) expressing a very strong opinion in this House last December—I am sorry he is not now here to back up his opinion—that the general surroundings of the case form a sufficient basis for inquiry of this sort; but I am prepared to prove that the Companies have no right to withdraw all this money—to prove it from the records of the Companies, from legal judgments, from the Reports of Royal Commissions. I can show, not by general assertion, but by documentary evidence, that we have a sufficient basis to justify inquiry, if not to justify the result we hope may be attained by that inquiry. It is necessary to go somewhat into the history of these companies estates. I will give documentary proof of facts rather than my own impression. A good deal of misrepresentation arises in Ireland from people giving their own impressions. I will rely on facts and legal documents to support my assertions; and if I appear to trench unduly on the time of the House, I hope I may be excused.

When an hon. Friend of mine asked that the two charters upon which the London Companies profess to hold their Irish property might be presented to the House, the First Lord of the Treasury said he was not aware of those charters. Well, I have seen those charters, not the originals, but what must be correct copies taken from the originals, as they appear in the records of the Irish Society. If the House will allow me, I will, as giving the basis of what I have to say, read a few extracts as showing the motives and reasons that induced King James to escheat the lands of Ulster, and for what purpose they were so treated. The charter of King James runs as follows:—

"James, by the grace of God, of England, Scotland, France, and Ireland, King, Defender of the Faith, etc.; To all to whom these present Letters shall come, greeting. Whereas there can be nothing more worthy of a King to perform, than to establish the true religion of Christ, among men hitherto depraved and almost lost in superstition, to improve and cultivate by art and industry countries and lands uncultivated and almost desert; and not only to stock them with honest citizens and inhabitants, but also to strengthen them with good institutions and ordinances, whereby they might be more safely defended, not only from the corruption of their morals but from their intestine and domestic plots and conspiracies, and also from foreign violence; and whereas the Province of Ulster, in our realm of Ireland for many years past, hath grossly erred from the true religion of Christ and Divine Grace, and hath abounded with superstition, insomuch that for a long time it hath not only been harassed, torn, and wasted by private and domestic broils but also by foreign arms: We therefore deeply and heartily commiserating the wretched state of the said Province, have esteemed it to be a work worthy of a Christian Prince and of our Royal office, to stir up and recall the same Province from superstition, rebellion, calamity, and poverty, which heretofore have horribly raged therein, to religion, obedience, strength, and prosperity: And whereas our beloved and faithful subjects, the Mayor and commonalty and citizens of our City of London, burning with a flagrant zeal to promote such our pious intention in this behalf, have undertaken a considerable part of the said plantation in Ulster, and are making progress therein."

Then follows, in long legal language, directions as to the appointment of Mayors of Londonderry and Coleraine and other officials, and as to how lands are to be laid out, into which it is unnecessary for me to enter. If hon. Members wish to see the document in its entirety, it appears in the Report or the Records of the Irish Society; or I hope it may be laid before the House by the Committee I trust the House will grant. It may be said that the Charter of King James was superseded by that of Charles II. Now, Charles II. did grant a charter, and it is to that, perhaps, hon. Gentlemen may refer as not stating so clearly the opinions expressed in that of King James. I have extracts here. It is an extremely long document, and I need not trouble the House with much of it. It is only necessary to say that it recapitulates and recites a great deal of what is expressed in the Charter of King James. It begins thus—

"Whereas our illustrious grandfather James, late King of England, by his Letters Patent under his Great Seal of England bearing date at Westminster 29th day of March in the 11th year of his reign for the considerations therein expressed."

Then the charter goes on to say—

"And for that it doth manifestly appear to us that the said Society of the New Plantation and other Companies of our City of London have expended very great sums of money."

Then after reference to the revoking refers again—

"The said several grants of the New Plantation and other Companies respectively theretofore, made as fully and beneficially to all intents and purposes, as they might have had and enjoyed the same if no repeal of the said Letters Patent had ever been had or made."

I ought to have said that before the second charter was granted there was a rebellion in Ulster, and there had been great Complaints of the negligence of the City Companies, and the King refers to these matters. By a Star Chamber Order he had revoked the first charter. That revocation is said to be illegal; but, however, the second charter recited the reasons for which King James granted these lands, and this is made doubly sure at all events, and if there was any illegality, we have the fact that King Charles did recite and recapitulate the reasons, or some of the reasons, that induced King James to grant the first charter. I refer to this as proving clearly that the City Companies only held the land or trust under charter; and I go further, and say all history goes clearly to prove that not only was this intended by the King, but every act of detail of Kings James and Charles goes to prove that it formed the basis of a very important policy. I say this is confirmed by history, and I would quote the records of the Irish Society. The Irish

Society, in 1822, appointed a Committee to inquire into their records. There had been a serious fire which had damaged some of the records, and thereupon the inquiry was ordered, and the Report of the Committee was printed. I may also mention that in 1864 Mr. Charles Reed, afterwards, I believe, Sir Charles Reed, and Chairman of the London School Board, and then Deputy Governor of the Society, was requested to prepare a record of the deeds of the Irish Society, and he did so. I have this record, and it fully confirms all that is set out in the Report of the Committee of 1822. There were conditions and orders made in respect to the charter, which are stated in this Report of the Irish Society in clear language. In King James' time, after the first charter had been granted there was a rebellion in Ulster—unfortunately there had been a good many rebellions there—and King James sought by this method to restore peace to the province. He escheated the lands in six counties, but the escheat was carried out in one county only, Londonderry. Now, there is clear evidence that these lands were given to the London Companies as well as to the Irish Society. I will give the conditions referred to, which were to be observed by those who undertook the work of civilization and restoration of peace to the province of Ulster.

"Whereas the greatest part of six counties being escheated and come to the Crown hath lately been surveyed, and the survey thereof transmitted and presented unto His Majesty; upon view whereof His Majesty of his princely bounty, not respecting his own profit, but the public peace and welfare of that Kingdom, by the civil plantation of those unreformed and waste countries, is graciously pleased to distribute the said lands to such of his subjects, as well of Great Britain as of Ireland, as being of merit and ability, shall seek the same with a mind not only to benefit themselves, but to do service to the Crown and Commonwealth."

These are orders and conditions given to the undertakers who were to occupy the lands in Ulster, which lands had been taken from the rebels under King James, and were to be occupied by the tenants of the London Companies. After an interval of some years, complaints reached the King that the province was not so well ordered and governed as it ought to have been; charges of neglect were made, and complaints made to the King of the conduct of the companies, and the King wrote in great indignation to Sir Arthur Chichester, the Deputy Governor, complaining that those grants so liberally made for the popular welfare of the whole Kingdom and not only for the province had not been properly administered by the London Companies. These are the terms of the letter of King James to Sir Arthur Chichester:—

"It is well known unto you how great a revenue we might have raised to our Crown by our escheated lands in the province of Ulster, if we had not preferred the reformation of that disordered country by a civil plantation to be made therein before the private profit which we might have reaped by it. For the more steady effecting whereof we made liberal donations of great proportions of those lands, so escheated unto us, to divers British undertakers and servitors with favourable terms and reservations for their better encouragement, and enabling them, in their estates, to expedite the work of their plantation, according to those articles which they voluntary bound themselves; but as we are informed they have made so slow progression therein, hitherto, that neither the safety of that country, nor the planting of religion and civility amongst those rude and barbarious people, which were the principal motives of that project, and which we expected as the only fruits and returns to us of our bounty from them, are any whit, as yet, materially affected by them. We are not ignorant how much the real accomplishment of that plantation concerns the future peace and safety of that kingdom; but if there were no reason of State to press it forward, yet we would pursue and effect that work, with the same earnestness as we now do, merely for the goodness and morality of it; esteeming the settling of religion, the introducing of civility, order, and government among a barbarious and unsubjected people, to be the acts of piety and glory, and worthy also a Christian power to endeavour."

The date of this is December 21, 1612. But it seems the effect produced on the London companies was not all that was desired, for two years afterwards the King requested information from the next Deputy Governor, Sir Julius Bodley, and Sir Julius Bodley made a Report in which he complained in strong terms of the City's negligence in the Plantation. This is an extract from the King's reply:—

"It is well known to you that if we had intended only (as it seems most of them overgreedily have done) our present profit, we might have converted those large territories, our escheated lands to the great improvement of the revenue of our Crown there; but we chose rather for the safety of that country and the civilizing of that people, to depart with the inheritance of them at extreme undervalues, and to make a plantation of them."

Now, that is further evidence, if any

were really wanted, of the King's intention when he handed over this land to the Irish Society. The King gave them a certain time—what he called days of grace. I have a letter in which he told the said companies he would assign them further time in which to perform their undertaking to Ulster, and if they failed in the performance of their duty he would seize the land. King Charles, when he came to the throne, said the City companies seemed to think more of their private lucre than anything else. That, I am afraid, is a charge that not only could be made of the City companies in the days of King Charles. What followed? The City companies did not take the steps the King considered necessary for the performance of their duty, and so the whole of the property was confiscated. The King resumed possession, and a Star Chamber order was made by which the patents which had been given to the City companies were revoked and cancelled. Now it may be said that that cancelling did away with the Charter of King James, but that cancelling was said to be illegal. A resolution was passed in the British Parliament to say that that Star Chamber order was not legal, and I believe if the question came before a Court of Law it could clearly be proved that King James's Charter was just as binding as it ever had been. But if the legality be questioned, at all events it is quite clear that Charles the Second's Charter renewed the grant to the City Companies. Therefore it is quite immaterial whether that revocation was legal or not. Then occurred another rebellion in Ulster, and a matter of great importance. The citizens of London asked King Charles to dinner. I have often heard of the importance of London dinners, and it seems to me that the London dinner to King Charles was just as important as any of the dinners of the present day. In a speech after dinner—I presume it was an after-dinner speech, judging from its character—King Charles regretted greatly that the lands had ever been taken away from the City Companies, and he promised that the Companies should have the same granted again; and a petition was presented to the King from the City Companies asking him again to restore these lands to the Irish Society and also to the City Companies. The rebellion in Ulster prevented that being done in King Charles's day, but it so happened that the City Companies did their best to defend the city of Derry and to defeat the rebels in Ulster at that time. The rebellion was quelled, and King Charles was more than ever wishful to restore the lands to the City Companies. In the time of Cromwell letters patent were given to the City Companies for the possession of these lands, but otherwise they remained as they had been in the time of King Charles; but in the time of King Charles the Second the citizens of London petitioned again, and obtained a second Charter reciting the previous Charter of King James, part of which I have read to the House. That Charter would, of course, come before the Committee, and I think it clearly proves that the lands of Ulster were given to the City Companies upon trust for the education and the support of the religion and education of the people of that province. The matter does not only rest upon Charter and the history of the time, but there are legal Judgments connected with the case. The Skinners' Company, apparently not satisfied with the amount they were getting out of the land in Ulster, commenced an action against the Irish Society to get some of the proceeds of the fisheries of which the Irish Society were possessed. The case came before, I think, three Courts in this country. I have not got the Judgment of the first Court, but I have extracts from the Judgments of the Master of the Rolls, and of the Lord Chancellor upon the appeal to the House of Lords. If the House will allow me I will quote only a very few words from these Judgments. Giving Judgment on the 19th November, 1838, the Master of the Rolls, Lord Langdale, said:—

"I am of opinion that the powers granted to the Society and the Trusts reposed in them were of a general and public nature, independent of the private benefit of the Companies of London."

That clearly proves that in the eyes of the Master of the Rolls these lands are held in trust. However, an appeal was made to the House of Lords, and the Lord Chancellor (Lord Lyndhurst), said:—

"The result of all these observations is this—that the objects are public and important; that they were constituted for the purpose of carrying those objects into effect; that those objects are still in existence; that the funds of this

district are applicable to those purposes; that they have a discretion to exercise as to what extent they will apply those funds and to what objects. If that be so, my Lords, they are public officers invested with a public trust, having a right to apply those funds in discharge of that public trust."

Lord Campbell expressed his opinion in language of equal strength and force. Now, Sir, this is a decision of the House of Lords, the highest Court of Appeal in this country, clearly stating that the Irish Society hold their land in trust, and I do not think it would be possible to dispute that statement. It may be said that that is only the trust of the Irish Society, and that the City Companies hold their lands on a different basis. That, I take it, is the contention of the right hon. Baronet; but, in reply, I maintain that all through these Records the City Companies and the Irish Society are to be taken as one and the same. That they are constantly referred to as the Society for the Plantation of Ulster, and that the companies clearly hold their right to any land under, and subject to, the Irish Society. I will not quote all the extracts, but I will give one or two here and there which all tend to show what these companies hold under the Irish Society. The Irish Society divided the lands in the county of Derry amongst the 12 London Companies. The lands were divided by lot. Twelve portions were marked out, and 12 pieces of paper put in a box. Each company put £3,333 6s. 8d. in one box, drew a piece of paper out of the other box, and thus obtained a piece of the county of Londonderry. That must have been a rather amusing scene. It is well worth reading about in the history of our country. The Records of the Irish Society wind up by saying—

"The whole of the estate so divided had been estimated to be worth only £1,800 a year. In letting their lands the companies stipulated with the persons proposing to become tenants, that they should perform the original articles and conditions of the plantation."

Frequent references are made after that to the connection of the Irish Society and the 12 companies. It is said that on the 9th of November, 1862,

"Precepts were issued to twelve companies for certificates of their works, and the companies made their return pursuant to the Society's requisitions."

It is stated that in July, 1714,

"The companies were ready to enter into measures thought advisable by the Society for the preservation of the woods."

It appears that a Committee had been over in Ulster and had found there was very little timber and that something needed doing, and so the Irish Society requisitioned the 12 companies to take measures for the planting of woods in Ulster. This was done. Then on the 4th of June, 1741,

"The Society agreed to execute a disclaimer to the chief companies of all their right to the timber."

There is another statement, which to my mind is a complete answer to anything the right hon. Baronet may say as to the companies having nothing to do with the Irish Society, because it reads as follows:—

"It will no doubt be obvious to the reader of the preceding pages that a main object for incorporating the Irish Society, independently of the pecuniary benefit to arise to the original planters and their successors, was to ameliorate the condition of the inhabitants on their plantation by enabling the Society to exercise their discretion in adopting such measures as might appear to them most conducive to the happiness and prosperity of the community under their jurisdiction."

And then comes this important paragraph:—

"The power of the Irish Society were therefore necessarily co-extensive with the possession of the entire estate, and such powers could neither be alienated, nor discontinued."

And then it is said:—

"The Crown invested the Society with the most ample authority to enforce their own regulations for the general objects of the plantation, and notwithstanding the division of the estates amongst the twelve chief companies, such estates are to be considered still under the paramount jurisdiction of the Irish Society:"

and then follows a good deal more in the same strain, winding up with these words—

"repairing Protestant churches and chapels; establishing schools throughout the whole population; and generally for the execution of such measures as tend to promote and improve the civil and religious interests of the country."

I do not see under such circumstances how the 12 companies can contend they hold independently of the Irish Society: it is contrary to all records, contrary to the evident intention with which the charters were given, and contrary to my mind, to all common sense in the matter. But, Sir, there is one other point, and perhaps the right hon.

Baronet will give me a little light upon it. I read in the Records of the Irish Society that the Haberdashers' Company sold their estate. I forget the date. [Sir R. FOWLER: 1687.] The date, however, is not of very great importance. The records state that at the time it was arranged that whenever a Company sold their property, the Irish Society should receive an indemnity against any loss. If that is so, is it not completely and clearly shown that the Irish Society hold entirely, and that the Irish Society's views is that these London companies have no right to sell their property, otherwise they would not take themselves an indemnity against harm which may follow? I trust the matter, at all events, will come before the Committee. I cannot state it as an absolute fact, I merely give it as what I gather from the records of the Irish Society, and from what I am informed as to the practice when companies sell their estates. That brings me to the Royal Commission of 1880, and I wish to make a few references to that Commission. With regard to the constitution of that Commission I should like to say I do not know what hon. Members below the Gangway were about at that time. I was in the House, but I must say I knew nothing about the way the Commission was formed. It is a positive fact that the Commission which was to inquire into the Livery Companies had not upon it a single Irishman of any kind—no Peer or Member of Parliament or Commoner of any kind. That Commission was formed with an entire disregard of the Irish part of the question. I think that was a grievous mistake. I find from the records of that Commission that it entirely fulfilled the object for which it was formed; it ignored the Irish part of the question. The Report of the Commission was issued in 1884, and I find that in the first 15 pages Ireland was not mentioned at all. I find that in only 28 lines of the 44 pages over which the Report extended, was there any reference whatever to Ireland. Therefore I say that the Report of the Royal Commission had really not very much to do with the question of the Irish estates. That is another reason why we should have a Committee. The Royal Commissioners said the Irish part of the question did not come before them at all, and therefore they had no suggestion to make to the House in regard to it. But they had some very valuable suggestions to make: they reported, for instance, that the property of the London companies was property held in trust. I will not trouble the House with many quotations from the Report, but there are just one or two I must make. Apparently the Companies protested against giving evidence before the Commission, because they disputed—

"The legality of that portion of the inquiry which related to property of the Companies not proved to be subject to any trust."

However, in reply to that, the majority of the Commissioners reported,—

"Those of your Majesty's Commissioners who sign this Report are unable to acquiesce in this view. It appears to us obvious that the State has a right at any time to disestablish and disendow the Companies of London, providing the just claims of existing members to compensation being allowed."

Then they go on to say—

"We do not, however, recommend this course to your Majesty's Government. We are of opinion that the State should intervene, but only for the purposes of the preventing the alienation of the property of the Companies of London securing the permanent applications of a considerable portion of the corporate income thence arising to useful purposes."

They wind up the paragraph by saying the London Companies

"Are, therefore, trustees of their corporate estate for public purposes."

There is also reference to the word London and to the increase of prosperity. I will not give any quotation about that, but the Report says that the bulk of the property had increased in value owing to the prosperity of London, therefore London should receive the greatest advantage from the property of the London companies. That is an argument for us in Ireland. We hold and say that these companies increased there property and increased their income very much, through the prosperity of Ulster, and therefore Ulster ought to receive its share of that improvement. That is, no doubt, the point at issue between us and the hon. Baronet opposite, and I trust it is one I am quite right in leaving to the decision of any Committee of this House. There was a minority Report published by the Commission, but I will not go into that; but I will remind the House that the Commission consulted two eminent barristers, Sir

Horace Davey and Mr. Vaughan Hawkins. Sir Horace Davey said—

"I think the companies should be restrained from alienating their property without the consent of the Home Office."

That opinion is a very good one, but I do not wish to detain the House by referring to it further. But I must quote the opinion of Mr. Vaughan Hawkins, because it bears on the Irish part of the question. He says—

"As to the large Crown grants by Edward VI. and James I. to the companies, it may be true that, taken alone, they do not impose trusts which the Court could enforce; but looking to the recitals of the Act of 4 James I., and the return to Edward VI. Commissioners, it seems not too much to say that these grants were made upon the representation that the income of the lands granted had been in the past wholly applied to charitable uses, and in the expectation that it would in the future be so applied."

It is there clearly proved that the property of the London companies is trust property which is available for the public welfare, and I maintain that to a share of the good the people of Ulster, who contribute so much to the property, have a claim. Now I said it might be argued by the right hon. Baronet that these companies paid for their lands. I grant that they did pay £40,000. That £40,000 was raised from 12 of the large companies, with whom are associated a number of smaller companies. The right hon. Baronet represents the Salters' Company. With that company there are four or five smaller companies, and the Salters' Company did not pay £3,333 6s. 8d., but only £1,954 for their land. Now, Sir, the Salters' Company sold their estate under the Ashbourne Act. The purchase money was obtained from the public. From a Return granted to the House, I find that the Salters' Company received £240,000. That, of course, includes the amounts for the smaller companies. Then there is the case of the rental. I read just now from the records of the Irish Society that the lands which were given over to the London companies were estimated to be of the value of £1,800 a year. An estimate of the value was given by a witness before the Royal Commission, he estimated that now the rentals amounted to no less than £160,000 a year. Well, it may now be said that these companies have spent money on their lands. They have no doubt spent money on churches and schools. They have recognized the object with which they were given these estates, and they have supported churches and chapels and schools, but certainly not to the extent they ought to have done. This fact is additional proof, to my mind, that the Salters' Company should not take the whole of the money from Ulster and leave none of it for churches and chapels and schools. The enormous increase of rent has been chiefly due to the labour of the tenants under the Ulster Custom. The Ulster farmers have built their houses and reclaimed land under the custom. In 1717 the Drapers' Company sent an influential Committee of their body to investigate the state of their property in Ulster and they reported that vast improvements had been made by the tenants. That is no tenants' or one-sided report, and I am sure it cannot be disputed by the hon. Baronet that it is through the reclamation of land and other improvements by the tenants that this large increase of rent has arisen. I do not say altogether, but very largely. Now, the Salters' Company has not been one of the most liberal companies in Ireland. A memorial was presented to the right hon. Gentleman the Member for Mid Lothian (Mr. Gladstone) in 1881 which embodied the gravest charge against the Salters' Company for their constant and frequent increases of rent and for increase of the sufferings of the tenants thereby. I am told by a very trustworthy tenant of the Salters' Company, or rather a late tenant of the Salters' Company, that he held land the rent of which had been raised in 109 years from 3s. 6d. an acre to 20s. an acre. The other day the Drapers' Company received a letter of thanks for giving £60,000 to the Beaumont Institute in the East-end of London. It was a noble gift; but about the same time I had written to the Drapers' Company to know if it was a fact that they were refusing to give £10 a year to the struggling Presbyterian churches at Draperstown and Tobermore, and I was informed that as they intended to sell their estate they did not mean to continue the grants beyond the lifetime of the persons now receiving them. When the Salters' Company sold their estate Presbyterian schoolmasters, who had been in

the habit of receiving £5 a year from the Company ceased to receive it. Is it not paltry and mean in the extreme for these great wealthy companies, who are able to give £60,000 to objects in London, to refuse to continue their grants of £5 and £10 to struggling schools and churches in Ulster? I do not wish to detain the House any longer, but there are many other institutions that suffer. Not long ago I was reading the Report of the Londonderry Orphan Asylum. One would have thought that that was an institution that anybody would be glad to continue their subscriptions to, but the Report of the asylum was to the effect that since the London Companies have sold their lands, they did not receive subscriptions from those companies, and therefore they could not support the number of orphans they had hitherto done. That is another example of the noble and liberal policy pursued by the London Companies. I hope I have proved to the House, from all the surroundings of the case—from the records of the Irish Society, from the Charters of King James, from the Royal Commission and legal judgments—these companies hold their property under a public trust. We contend that under that trust they have no right to deprive the people of Ulster of the whole of this property, a good deal of which has been contributed by them, and that they ought, if not voluntarily, then under compulsion, to give a certain sum to the people of Ulster by way of compensation. Gentlemen on this side of the House often talk of justice to Ireland, and I believe that Gentlemen opposite have an equal desire to see that justice done. Well, but I hold that to bring money which really belongs to Ireland over to this, the wealthiest country in the world, is to do great injustice to the former. I beg to move the Motion standing in my name.

MR. MULHOLLAND (Londonderry, N.): After the able and exhaustive speech we have just listened to from the hon. Gentleman the Member for South Derry, I do not think it will be necessary for me to occupy the time of the House with any lengthy observations. In the first place, I would congratulate the hon. Member on having found a Motion on which Members from all parts of Ireland will be able to agree, or rather, on which—for I cannot answer for Irish Members below the Gangway opposite—he will have the cordial support of the Ulster Members on this side of the House. I will not go into the history of these London companies, and the manner in which they have been in the habit of managing their estates, but there is one point I should like to impress on the House, namely, that this is not altogether, or even mainly, one as between landlords and tenants; it affects very largely the labourers in town and country and the small shopkeepers and other classes of the community. Hon. Members who have studied the workings of the Land Purchase Acts must be aware that the farmers have, as a rule, made excellent bargains for the purchase of their farms. Practically, as the result of this legislation, they have become the absolute owners of the farms, whereas the labourers and other classes of the community have derived no benefit at all from the lands. I should like to give the House an example of the operation of these Acts in the County of Londonderry, one Division of which I happen to represent. Mr. Cartwright, agent of the Salters' Company, giving evidence before the Royal Commission on the Land Acts, said that the advantage derived from the purchases under Lord Ashbourne's Act were solely and wholly gained by the chief tenants. He said that whilst on the Manor of the Salters' Company there were 1,000 tenants, there were an enormous number of people who were not tenants, the population altogether being 10,000. From my own knowledge I agree with the observations of Mr. Cartwright, and I have no hesitation in saying that if this money is withdrawn from the county the condition of the labourers on the estates will be infinitely worse than it was 10 or 20 years ago. What we contend is that these estates are virtually trust estates, and it is asked that a certain part of the money from them be devoted to objects of public benefit within these districts. There is no ground for assuming, as, no doubt, the hon. Baronet (Sir R. Fowler), who is about to speak, will assume, that the companies are acting within their legal rights in selling their estates, because the matter has never been made the subject of a judicial decision, and until it has been made the subject of such a decision the companies

have no right to say that their view is the correct one. I take it that the point that the House has to determine is not that of the abstract legality or illegality of the action of the companies. I do not think we should form ourselves into a tribunal for the purpose of interpreting the law, or explaining the meaning of charters, or to say to what extent the companies are at present bound by them; but what we do say is that, having referred to the circumstances under which the estates were acquired and to the manner in which the trusts have been fulfilled, the House is asked to say that the withdrawal of the large sum which has been habitually spent on the estates is in the highest degree inexpedient and impolitic. I beg to second the Motion.

Amendment proposed, to leave out from the word "That" to the end of the Question, in order to add the words,

"A Select Committee be appointed to inquire into and report upon the circumstances attending the acquisition and sale of the Salters Estate, and of such other London Companies as have sold or are in treaty to sell their Irish estates,"—(*Mr. Lea.*)

—instead thereof.

*SIR R. FOWLER (London): The House will not be surprised that I should wish to say something on this question, because I have had the honour of being Master of the Salters' Company in 1885-6 during an important period—so far as this subject is concerned—and because, in view of the constituency I represent, I also indirectly represent the other companies, two of whom are much more interested in this question than the Salters' Company, which has sold its Irish estate. The hon. Gentleman who has just sat down says there has not been a judicial decision given, and, no doubt, that is true. But though there has not exactly been a judicial decision on the question of the legality of the sale of the estates, yet that right has been accepted by the ablest lawyers in Ireland. Now, in this matter there can be no question of one Government or the other. The estate of the Salters' Company was not sold under a Conservative Government, the main portion of the transaction having taken place under the administration of the right hon. Gentleman the Member for Newcastle. The able lawyers who advised the Government under Lord Ashbourne's Act would not have recommended the advance of money by the Government if they had not been sure of the right to sell the estates. The hon. Member for South Londonderry moves for an inquiry into this right. How far back is the inquiry to go, because the right has been sanctioned for the last two centuries? The Haberdashers' Company sold their estates in 1687; the Merchant Taylors in 1727; the Goldsmiths in 1728; the Vintners in 1729; the Clothworkers in 1871; the Grocers in 1874; the Salters in 1885; the Fishmongers in 1886; the Skinners have nearly completed the sale of their estates, and the Ironmongers and the Drapers are still in process of arranging the sale of theirs. The Mercers do not wish to sell. The desirability of granting this Committee of Inquiry is a matter for the Chief Secretary. As far as the Salters are concerned, it does not matter what decision is arrived at, but with the Ironmongers and the Drapers the case is different. While the sale is being arranged, however, it is awkward to have the question of its legality raised. Therefore, in the interests of those two companies, I would ask either that the inquiry should be refused or should be granted at once. It is doubtful whether it would be possible at this period of the Session to appoint a Committee which would command the confidence of the country; for such a Committee ought to include Members of both the Front Benches and also the ablest lawyers in the House. In the Report of the Livery Companies Commission there is a memorandum stating that the Mercers' Company declare that they have always exercised their right to sell any part of their private estates, and to deal with them as they think fit; and that they protest against any interference in the matter. I mention this case of the Mercers' Company because Lord Selborne, one of the most eminent of living equity lawyers, is a member of the Court of that company. Assuming that all the views of the hon. Members opposite are borne out, what is to be the result? Are the Haberdashers' Company, the Clothworkers', and the Grocers' to be required to refund the sums which they have received at different periods? I apprehend that for that purpose an Act of Parliament

would be necessary, and the passing of an Act would occupy a great deal of the time of the House. It is asserted that the London companies have derived great benefits from their Irish estates. I maintain, on the other hand, that it would have been a good thing for those companies if they had never had anything to do with Ireland. In point of fact our connection with Ireland has resulted in a dead loss. The origin of the thing was this: The companies originally put down 12 sums of £5,000 each, making £60,000 between them. Well, it is calculated that a sum of money put out at compound interest will double itself in 14 years. I do not take 14 years however—I take 20—and, I say, that if this £5,000 paid by the Salters' Company had been put out at interest in 1620 that sum, doubling itself every 20 years, would have amounted to £41,360,000 in 1880. Therefore, Sir, I maintain that these Irish estates have been a dead loss to us. I certainly do not think we have made anything by our connection with Ireland. We should have been a great deal better off if we had never touched it. Well, now, the Salters' Company has been selected for some reason unknown to me as the great evil-doer among the London companies. For nearly 100 years the Salters' estate paid us nothing whatever. It was afterwards let for £500 a year to the Bateson family, the ancestors of the present Lord Deramore. It was not until the year 1853 that the company came into possession of the estates. Since that period the following sums have been laid out in improvements: on school buildings and repairs, £6,213 16s. 3d.; support of education, £16,760 15s. 8d.; church buildings, parsonages, &c., £9,303 9s. 9d.; ministers of religion, and Church sustentation fund £9,212 13s. 6d.; main or arterial drainage, £5,019 8s. 7d.; improvement in the breed of cattle, £193 11s. 3d.; farm roads, pavements, &c., £6,589 10s. 1d.; water and gas supplies, £817 13s. 3d.; public buildings, repairs, &c., £2,827 19s. 10d.; charitable and other donations, £4,832 13s. 9d. I only joined the Company in 1880, about the time when the troubles began, but I know that those who preceded me were anxious to do their duty as good landlords and to promote the prosperity of their tenants. Not only that, but they had the utmost regard for the religious opinions of the people residing on their estate, and gave assistance in the building of schools and churches to the three denominations—namely, the Church of Ireland, the Presbyterians, and the Roman Catholics. My hon. Friend near me (Mr. Johnston) may take exception to the latter, but it was the view of the Salters' Company, and, so far as I know, of the other companies also, that having many Roman Catholic tenants they were bound to assist them. The estate consisted of about 19,000 acres, including bogs, roads, &c., comprising some 985 agricultural and town park holdings, but in some few instances one person held two or three holdings, and, on the other hand, some holdings were held by two and even three persons as joint tenants, so that in round numbers there were about 930 tenants. In 1883 the Company made the following offer to the tenants—"with a view of arriving at some amicable and permanent arrangement without litigation" in the Land Court—namely, to reduce the rent by 10 per cent of all those tenants who would enter into judicial agreements for fair rents for 15 years from the first November, 1882, and the vast majority of the tenants voluntarily availed themselves of this offer. Meetings were held by the tenants at different places on the estate to consider the offer, and Dr. Todd, a solicitor of Londonderry, who was a strong supporter of the tenants' rights, attended some of the meetings. Dr. Todd gained the confidence of the tenants generally, and several hundreds of them signed an authority to him to negotiate with the Company for the purchase of their holdings on certain terms, and to sign the necessary contract of purchase. The price offered was 19 years' purchase of the net Government valuation of the land where the tenant paid in cash the whole of the purchase money (on balance not advanced by the Land Commission), and 20 years where balance of purchase money was left outstanding. The tenants were to be at liberty to borrow from the Land Commission three-fourths of the purchase money, and the company were (in all cases where the tenant was unable to pay the balance of one-fourth in cash) to allow such balance to remain on mortgage at

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5 per cent for 35 years to extinguish principal and interest. The terms were communicated to the company by Dr. Todd in a letter dated 24th May, 1883. The Company declined to accept the offer, and suggested other terms. A long correspondence ensued, and ultimately terms were agreed and embodied into two draft contracts which were approved by Dr. Todd at the end of the month of January, 1884. The principal terms were as follow:—The whole of the tenants of a townland were to purchase, or the company were not to be compelled to sell to any tenant in such townland. This condition was subsequently abandoned by the company. Three-fourths in number and value of holdings were to pay the whole of the purchase money in cash, and in the other cases the company were to allow the balance of the purchase money, not exceeding one-fourth thereof, to remain on mortgage at 5 per cent for 35 years, to extinguish principal and interest. The price was to be 19½ years' purchase of the net Government valuation of the land in the cases of all tenants who paid the whole purchase-money in cash, and 20 years' purchase in the cases of those who left one-fourth on mortgage. The purchases were to be completed on the 1st November, 1884, and if not completed on that day the purchasers were to pay interest on the purchase money at the rate of 5 per cent per annum until completion. All arrears of rent were to be paid up to the 1st of November, 1884, prior to completion. The company were to pay Dr. Todd 2½ per cent on the total purchase-money by way of commission. The contracts were engrossed by Dr. Todd and were signed by some 630 tenants, but the engrossments were not sent to the company until February 1885. They then had to be checked, and this took upwards of two months to do. In April 1885 the abstract of the Company's title was forwarded to the solicitor of the Land Commission, as he had to investigate the title prior to any advances being made to tenants, and the investigation of the title and the disposal of the requisitions took nearly eight months. I repeat the remark I made before that any doubt as to the desire of the Company to sell their estates, as seems to be implied in this Motion, is not so much a censure upon the Company as a censure upon the solicitor of the Land Commission, who is no doubt a very able lawyer and, as I have no doubt the Solicitor General for Ireland would testify, if he were in his place, a thoroughly competent man. In October 1885, after the passage of Lord Ashbourne's Act, the Salters' Company agreed to allow the sales to be carried through under the Act and to leave one-fifth of the purchase money in the hands of the Land Commission by way of guarantee deposit, and that those tenants who had agreed to give twenty years' purchase should buy out 19½ years' purchase. They did not at that time agree to any other alteration of the terms of purchase. In November 1885 it was represented to the Salters' Company that many of the tenants purchasing would be unable or unwilling at the time of completing their purchase to pay the amount of the arrears of rent to the 1st of November, 1884, and interest from that date until completion in cash, and the Company authorised their agent to take promissory notes for the amounts from such of the tenants as might plead their inability to pay such arrears and interest. As an inducement to tenants to pay the amount in cash, the Company authorized their agent to accept interest at 4 per cent instead of 5 as specified in the contracts. In January, 1886, the company, at Dr. Todd's request, agreed to charge interest on the purchase money up to November the 1st, 1885, only, and not to the actual date of completion. In March 1886, the Company agreed to have the purchase money calculated at 19½ years' purchase on the net Government valuation of the land, or the rent as fixed by the Company in February 1883, whichever was the lowest. This resulted in a reduction of about £10,000 from the total purchase money, as agreed to be given by the tenants under the contracts signed by them, and at the same time the company agreed to allow to all tenants who paid their promissory notes for interest before maturity, a rebate of 3s. in the £, which really made the rate of interest 4¼ per cent only. The sales completed on these terms were:—in February, 1886, 63; March, 88; April, 75; May, 56; June, 84; July, 106; August, 64; October, 162; November, 131; December, 61, and since December, 94; making a total of 984. Tenants to the number of 147 gave promissory notes

for arrears of rent, and 546 for interest, the total amount of such notes being £5,756. Of these 18 have paid their notes for rent, and 144 their notes for interest, the amount paid being £1,281, which leaves a balance of £4,475, still due to the Company on these promissory notes. The hon. Member contended that the Salters' Company had made a very profitable investment in regard to their Irish estates. I want to point out that we have sold the estates to the tenants at a much less sum of money than we considered they were worth some years ago. With regard to the amount of public money received from the State by the Salters' Company, grossly exaggerated statements have been made. The actual sum received from the Land Commission was, including the guarantee deposit, £230,548. From this sum must be deducted the cost of the redemption of the Tythe, £12,730, cost of sale, compensation to subordinate officials, and balance of bond debt incurred for improvement of the estate, such as building churches and schools, drainage, paving, &c., £16,400, making a total of £201,418. The Salters' Company in 1876 and 1878 bought out two of the associated companies at the rate of £285,000 for the entire estate, subject to certain charges thereon, and the sale to the tenants, after payment of the charges and the costs of sale was at the rate of £220,000. That was a loss to us of £65,000. Are we to be attacked alone, while those companies who left Ireland at a better price than we did are to go scot-free? Why are we to bear the whole loss? I do not think anybody will say that is justice. We have had the misfortune of the times going against us, but I must say that the Salters' Company—and I do not speak for myself, because at the time the company became Irish landlords I had not joined the Company's Court—acted as generous landlords. I believe the reason why they gave a high price to the two companies to whom I have referred was that they wished to behave generously to the tenants without having others to consult. But I must say that, having endeavoured to promote the prosperity of those of the people of Ireland who came under our charge, we have been met by gross ingratitude. Every complaint has been made against us, and I think the very fact of this charge having been brought forward to-night proves that we were right in endeavouring to get out of Ireland. Sitting here and meditating what was said in this House some years ago, I very strongly urged this view, and was supported by a colleague of mine, then a Member of the House (Mr. Eaton, now Lord Cheylesmore) that, from what we saw, an Englishman in Ireland had every man's hand against him, and we came to the conclusion that the sooner we got out of Ireland the better it would be for us. Now, I will just tell the House one instance of what I learnt, when I was driving over the estate in 1885. The agent pointed out to me a farm on the hill, and said the farmer had to drive three-quarters of a mile round to get to the road from which he was separated only by half an acre of rock land, the tenant of which would not permit him to cross to the road. The agent went to him and told him that for this piece of rock he might have an acre of good land. He asked, would it do him any good?—meaning the farmer. "Why, of course, you know it would." "Then nothing would induce me to do it." For the sake of spiting a neighbour by making him walk three-quarters of a mile round, this man refused an acre of good land for half an acre of rock. We hear a good deal about the Ulster tenant, but it certainly struck me that in a similar case in England, no landlord would have allowed a tenant to be so inconvenienced simply because some had a spite against him. Under the Ulster tenant right we had no power to do anything. It was incidents like these which caused us to avail ourselves of Lord Ashbourne's Act, and to enter into this transaction. The same thing has been done by many of the companies. I can speak for the other London companies, that they were all anxious to do, and would have done the best they could for the Irish tenantry, but for the difficulties that were put in their way. At length they wished to live in a calmer atmosphere, and I do not think anybody can blame them for endeavouring to dispose of their estates. Lord Ashbourne's Act was passed to carry out what has always been the dream of hon. Gentlemen opposite, and many on this side of the House—namely, the establishment of a peasant proprietary. That is the great

object Lord Ashbourne's Act has in view, and I do not see how the Salters' Company are to blame for acting on that principle. But as far as I can gather from the object of this Motion it is to convey this. We are very glad to get rid of you, at the same time now you have ceased to belong to us, we want to retain your money. They kick us out of Ireland, and wish us to continue to subscribe. I apprehend that now we have got our money, you would want an Act of Parliament to compel us to spend it in any particular manner. We have every disposition to deal fairly with everybody, but after the way in which we have been treated, and after the attacks, it cannot be said that we have been offered any great inducement to act in that spirit. To call a man a rogue is not the way to induce him to act liberally. We can find plenty of people to receive what we have to give away in the shape of charity, and to receive it gratefully. What I wish to ask is, how are we to be compelled to take this course? I do not think you can exercise compulsion without an Act of Parliament. And let me again point out that in passing this Motion you are passing a Vote of Censure on the eminent lawyers who advised the Irish Government—and it is not one Government in particular which is concerned, because a good deal of this transaction was under the administration of the right hon. Gentleman (Mr. Morley)—in regard to the right of these companies to sell their estates. But the Motion is a question for Her Majesty's Government. Personally, I believe it will be found that the more the affairs of the London companies are examined the more it will be found that they have endeavoured to do their duty in the various positions in which they have been placed. At the same time, I must protest against the attacks which have been made, and I most earnestly assert in this House that I believe the course we have pursued has always been that of good landlords, and of men anxious for the prosperity of Ireland as well as of this country.

*MR. T. W. RUSSELL (South Tyrone): I cannot help saying that if the case of the London companies is as it has been stated by the right hon. Baronet, there is very little to be said for them. It appears to me that the sum and substance of that case is that the moment they scented danger in Ireland they scuttled out of it and took as much with them as possible. It may be a relief to the right hon. Baronet to know that, so far as I am aware, there is nobody on this side of the House who questions the right of the London companies to sell their estates; indeed, we think that it is to the advantage of Ireland that they should sell them. But the real point is as to the disposal of what we consider trust money. That question has been deliberately burked by the right hon. Baronet. We are not here to argue whether the London companies were in the past or are now good landlords. I frankly admit that a good deal may be said on both sides. The real question is, how did these companies become possessed of their lands in Ireland, and are they at liberty either legally or morally to carry off the money to be dispensed in charity and hospitality in this great City, where it is not nearly so much required as in Ireland? These questions involve a twofold argument of history and fact. The lands conveyed at the beginning of the 17th century constitute what is known historically as the plantation of Ulster. Is there any Member of this House who, having heard my hon. Friend, believed that they were given to the Irish Society, and by them to the London companies for anything like private ends? I hold that they were given for public purposes, and the original charters clearly prove it. Here are some pregnant words from the first charter:—

"Whereas the greater part of six counties in the Province of Ulster being estreated to the Crown, have lately been surveyed, and the survey thereof transmitted and presented unto His Majesty, upon view whereof His Majesty, of his princely bounty, and not respecting his own property but the public peace and welfare of the kingdom, by the civil plantation of these unreformed and waste countries, is graciously pleased to distribute the said lands to such of his subjects, as well of Great Britain as of Ireland, as being of merit and dessert and shall cultivate the same not only to benefit themselves but to do service to the Crown and to the Commonwealth."

I maintain that these lands were conveyed to the Irish Society and to the London companies not for private but for public purposes — the settlement of Ulster. Now, this charter, which I have quoted, was annulled in 1630 for breaches of the Articles. And if the lands were not given for public purposes, what

right had the Crown to interfere with and annul the very charter it had created? A new charter was presented by Charles II. to the Irish Society, which granted some lands to the Livery companies thereupon, and that is the foundation under which the companies hold their lands. The case for the companies so far as I can make it out, is that they bought from the Irish Society and are absolute owners. Our answer is that the Irish Society, in conveying their lands to the 12 companies, could only convey the title they possessed. They held the land for public purposes, and they had no right to convey them for any other purpose. The companies have sometimes recognized this themselves. I take the sale of their estate by the Clothworkers' Company in 1871. They sold their land to Sir Hervey Bruce, who was charged with £50 a year to several churches, besides moneys for other charities which the Clothworkers had been giving. The Clothworkers had recognized their duty, and in selling to Sir Hervey Bruce they charged the estate with those responsibilities. What we are determined upon is that those companies who remain shall not get out as have the others. They are selling lands, the main value of which has been contributed by the tiller of the soil. The right hon. Baronet talks about the companies having lost by their Irish connection. In 1609 the valuation of the estates was £1,800; in 1882, the valuation was £113,000. In 1639, the rental was £2,190; in 1882 it was £160,000. Beyond all yea or nay, and making every allowance for what the companies have done, and making allowance, too, for the change in the currency, I say the increased value of these lands is mainly due to the tenants. The settlers found the place a howling wilderness, and if it now flourishes like a green bay tree the change is not due to the landlords. All that the companies have done has been to step in and raise the rents of the tenants after they had made their improvements. It is absurd for the hon. Baronet to talk of the losses which the companies have incurred in face of the enormous improvement of their estates—an improvement by which they have benefited Now, having sold those lands which, as the charter shows, they held for public and specific purposes, they have carried off the Irish money made out of the sweat and toil of the settlers, to this great City, and are simply leaving that religion, that education, and those public affairs for which they were bound to have concern, to take care of themselves the best way they can. Just imagine these great corporations receiving hundreds of thousands of pounds under Lord Ashbourne's Act, calmly announcing, while they are giving their £10,000 in charity in this wealthy and rich City, that these schools and churches and charitable institutions in the County of Derry must now, since they have sold their estates, look after themselves. I say, apart from the legal question altogether, this money is Irish money which ought not to be allowed to come to London, and these great and wealthy corporations ought to be ashamed to retire from Ireland in the way they have done. We may be told that if the companies had no legal right to sell we have our remedy by going to the Court of Chancery for an injunction. Just imagine the farmers and labourers of the County of Derry being told that they must go to the House of Lords, because that would be the ultimate tribunal of these great and wealthy corporations, who would be actually fighting the farmers and labourers and tenants with their own money. It is not possible to recommend any such course. Let us have a Committee to inquire into the title of these companies, into their right to sell, and whether if they have the right to sell, they have the right to walk off with the money. The right hon. Baronet talked about the immorality of the people. I wondered what he meant. What instance did he give? Simply one case in the County of Derry where a man owning half an acre of rock would not take in exchange an acre of arable land to oblige a neighbour. Does such a thing as that never take place in England or even in the City of London? If the man wished to keep his half acre of rock, if it was not convenient for him to part with it, he had a right to hold it. He might be wrong, very likely was, but certainly he ought not to be held up as an example of immorality. Take the case of the Drapers' estate. The Drapers' Company have been

caught distinctly trying to defraud their tenants The Land Commissioners refused to ratify the sale of their lands. Why? Because the company inserted in the agreements the old rents, after the judicial and lower rents had been fixed. Now, when they are brought to bay, what are they doing? They are simply forcing the tenants into a position that they cannot consent to occupy. It is time this harrying should cease. These great, rich, and wealthy companies should not be harrying their tenants in Ulster, and it is time that the money they have in their coffers should be got back, or if it cannot be got back, at all events that this House should see no more of it shall go into them. I heartily support the Motion of my hon. Friend, and I hope the Government will see their way to grant this Committee, and, even though the period is late, to do something to arrest this work.

MR. CLANCY (Dublin Co.): I have listened to the characteristic oration of the hon. Member for South Tyrone. When last autumn the Irish Members sitting in this part of the House in Committee on the Bill for the extension of Lord Ashbourne's Act, proposed certain Amendments calculated to prevent the things of which he now complains, the hon. Member and his confederates on the other side went into the Lobby against us. He opposes us on all practical occasions, and reserves his superfluous eloquence for a pointless debate on a private Member's night. He deserted us on the battlefield, and now swaggers as the true hero on parade. I must express my opinion, that this Motion and the debate to which we have listened, are as perfect a little comedy as ever has been enacted on the boards of a West End theatre. It reminds me of those little charming questions, put in the simplest manner by innocent friends of the Government, and to which the Government are always so anxious to give an answer. There is no doubt whatever after the speeches that have been made, and even for the speech of the hon. Baronet, the head Salter, that a little arrangement has been come to. This committee is going to be granted; there is no doubt about it. I thoroughly agreed with the Head Salter when he asked, supposing the Committee were granted, how are you going to get back the money? The money has been spent in champagne and turtle soup long ago. You may as well try to call spirits from the vasty deep as try to get back money now. I am not surprised that the Head Salter objects to this Commission. I remember that the hon. Baronet also objected to a Commission of inquiry into the works of the Metropolitan Board of Works.

*SIR R. FOWLER: I beg the hon. Gentleman's pardon. My name was on the back of the Bill of the noble Lord the Member for Paddington.

MR. CLANCY: I was under the impression the hon. Baronet objected to the inquiry into the proceedings of the Metropolitan Board of Works, and I now hear with astonishment that he did not. Does he deny that he opposed the inquiry?

*SIR R. FOWLER: I distinctly deny it. My name was on the back of the Bill.

MR. CLANCY: Was not the hon. Baronet opposed to the inquiry in the first instance?

*SIR R. FOWLER: No.

MR. CLANCY: At all events, I think the hon. Baronet predicted a certain result for the inquiry. He was very brave, and confident that that final result which he predicted would be most satisfactory; but we know what the result has been, and that it has led to the extinction of the corrupt body which he championed. No doubt he looks forward to an equally satisfactory result on the present occasion, or he would not object to the Committee now proposed. I myself should prefer, not a Committee upstairs, but a special Commission of Judges. I do not think, in the language of the right hon. Gentleman the Leader of the House, that a Committee of this sort is a competent tribunal for the discussions of questions of this kind. We want a most thorough and far-reaching inquiry. There are delicate questions of a private character, of private banking accounts and various matters touching on the question of morality, and a Committee upstairs is not competent, and probably would not be induced to enter into these considerations. Therefore, if I had my choice, I should prefer a special Commission of Judges, with probably the Attorney General to conduct the prosecution. I listened, with great interest, to the speech of the Head Salter. He stated

that these Irish estates were a dead loss to the London companies. I forget how many scores of millions he said the companies had lost, but he seemed to forget that they had been extracting rent. He spoke as if the companies had got nothing during all these centuries out of Ireland. Well, Sir, I think it did become him to make an appearance here to-night, and if he asks me why it is we select the Salters' Company, and their fellow company, the Skinners' Company, as the victims of our efforts of to-night, I beg to tell him the reasons are to be found in the records of the Land Commission, where it is clearly shown that these two companies have been amongst the greatest rack renters of the country; therefore, it is time that the Head Salter should make his appearance and deliver some apology for the robbery, which has been going on for over two hundred years of loyal Protestant tenants as well as of poor Catholics. The Head Salter said that their proceedings had been sanctioned for two hundred years, but does that make the thing any better. Sir, these transactions are not only old, but they are as infamous as they are old. There is no use in the hon. Baronet attempting here, or anywhere else, to get over the verdict of history and of historical documents, a verdict which clearly proves that a public trust has been imposed by the Crown in connection with these estates, and that the estates have been used for private and disgraceful purposes. I will not weary the House by giving particulars of this assertion. I will content myself by quoting one case contained in the Report of a Commission dated 1854. This Report states that the estates are mere trustees for the purposes declared in the charter, and these purposes are defined as public purposes, educational and religious to be effected not in England, or Scotland or Wales, but in Ireland. Yes, these companies have been distributing their money by thousands in England and Wales, and have refused to give a few hundreds to loyal Belfast. A little while since a donation of £12,000 was given for a college in Wales; but only £300 could be obtained for a technical school in Belfast, and a subscription was refused altogether for a college in Dublin. Now I come to the sale of the Fishmongers' Company's estates in county Derry under the Ashbourne Act, and if the statements made to me on this subject are true, it seems to have been one on the most iniquitous plots ever conceived. I am told that the estates were sold by the Company to the tenants in April, 1885, a few months before the first Ashbourne Act became law, the tenants agreed to pay annuities for thirty years, and the annuities, strange to say, were less in amount than the annual rent. The explanation of that no doubt is to be found in the fact that the rents were raised in 1872 to an extraordinary pitch. What happened? The agreements were signed and stamped, and so far everything appears to have been straightforward, except that the Company, by their superior position, imposed monstrous terms on the tenants. But when the Ashbourne Act passed in August, 1885, all the solvent tenants applied to the Land Commissioners to get an advance of money for the purchase of their holdings. Now, a great many of them had deeds, signed and registered, for the purchase, but at the instance of the Fishmongers' Company they actually signed another document, agreeing to become tenants again at will under the Fishmongers' Company, for the purpose of getting the money under the Ashbourne Act, and this was the first step in a series of frauds, sanctioned by the Land Purchase Commissioners. The second fraud was in adding to the purchase money all arrears—a thing which had been forbidden by the Land Commission. And so this benevolent company, by misrepresenting the amount of the purchase money, got an amount of cash which was not sanctioned by any Act of Parliament. A man who steals sixpence, or gets it by embezzlement, is sent to gaol, but the scoundrels of the Fishmongers' Company are permitted still to guzzle champagne in the City of London. Fraud No. 3 was this: the Land Commissioners would not advance the money unless the company withdrew all claims for rent and interest against the tenants. The company did so withdraw those claims, but they actually got, at the same time, the tenants to sign promissory notes for the arrears, and this hon. Company of Fishmongers, who ought really to have been called "Salters" or "Skinners," entertained the Chief Secretary to dinner with that money. They get the tenants to sign promissory notes for these

arrears, and, having obtained judgment against them on the promissory notes, and registered them as mortgages, and having also, as my correspondent states, obtained about £20,000 by fraud, they spent the money thus fraudulently obtained by a series of most disgraceful frauds, in guzzling in the City of London and entertaining the chief coercionist of the country. I think, if there is no other reason for demanding an inquiry into these matters, it is to be found in the transactions of the Fishmongers' Company. It is impossible, after these statements have been made, for the House to refuse an inquiry, even if an agreement has not already been come to on the subject between the confederates on both sides of the House. I only hope that the inquiry will be thorough, and that it will go back far enough to satisfy both the hon. Member for South Tyrone and the Head Salter. All I would suggest is that the Secretary for Ireland, instead of appointing a Committee of this House, which in the words of the First Lord of the Treasury "is not a competent tribunal" will agree to the appointment of a Special Commission of Judges with power, if necessary, to issue certificates of indemnity to the Salters' Representative in the House.

*MR. S. GEDGE (Stockport): I have had considerable difficulty in following the drift of the remarks of the hon. Member for North Dublin. I take it he wishes a Committee to be appointed, and yet he falls foul of the hon. Member for South Tyrone, who strongly supports that proposal. It is supported by the Liberal Unionists and the Irish Members; but the Party led by the hon. Member for Northampton, and that Party which is occasionally led by the right hon. Gentleman the Member for Mid Lothian, who might be expected to support this proposal are all strangely absent. Even the newly-formed Fourth Party—I mean the "Jacobite" Party—are not on this occasion showing much activity in support of their Irish allies. I can hardly suppose the hon. Member for North Dublin wishes for the presence to-night of the right hon. Gentleman the Member for Mid Lothian, because that right hon. Gentleman would scarcely have listened with pleasure, or without protest, to the remark that the Fishmongers are a set of scoundrels, seeing that he himself is a member of that Company. I fancy the object of the hon. Member for North Dublin was to be nasty all round, and I think he very well succeeded in so being. Looking at the case as a trained lawyer, I think it strange that any one should come to the House and on such a statement of facts as that presented by the Mover of the Motion ask for the appointment of a Committee. While those companies in Ireland have their duties as well as their rights, they were undoubtedly planted in Ulster, not only to do good to the country, but to benefit themselves as well. The charters distinctly state that the estates are to be held by the companies, not only for the benefit of themselves, but in order that service might be done to the country. Now, the law in regard to trusts is that no trustee shall hold for his own benefit, he must hold for the benefit of others. But while the companies were to hold the states for their own benefit, the charters pointed out that the property had its duties as well as its rights. Complaints have been made of the conduct in particular instances of the companies towards certain of their tenants; but I think that no one will say that, during the long period they have held the property, the companies have not to a considerable extent performed services of public benefit. The real complaint now seems to be not that in the past they have failed to subscribe liberally to churches, schools, and other public institutions, but that when they sold their estates they did not take care that these good works should be carried on by their successors, or by themselves out of the purchase money. It has been pointed out that in 1650 certain charters were revoked by the King on the ground that the Companies had been guilty of breach of trust, and it was suggested that this constituted proof of the existence of trusts. But the hon. Member omitted to inform the House that not very long afterwards the revocation was declared by Parliament to be illegal, and that declaration cut the ground from under the contention that the revocation proved the existence of trusts. But even supposing there are trusts, the question arises, do they attach to the land or to the money? If they attach to the land, then the hon. Member must look to the present possessors of it, and try and make them perform the duties

hitherto performed by the Companies. On the other hand, if the trust attaches to the proceeds of the sale of the land, then the hon. Member can file an information in the Court of Chancery, which is perfectly competent to enforce these trusts. I have no doubt the Attorney General would not refuse his name for use in such an information. Surely it is a strange thing to come and ask for a Committee of this House to inquire into the matter when they have no power whatever of enforcing the trusts if any are found to exist. Now, hitherto hon. Members opposite have expressed great anxiety that Irish land should become the property of the tenants, yet the hon. Member for South Tyrone takes up this extraordinary position, and asks that there shall be no more sales of the property of the London Companies until this question has been settled. The object of Lord Ashbourne's Act was not so much to benefit the landlords as to benefit the tenants whom it is desired to make proprietors of their holdings, and so to get rid of the dual ownership created in 1881, which has done so much mischief in Ireland. Now, what can it matter to the tenants whether they buy from the London City Companies or from individual landlords? Under all the circumstances, however, as hon. Members have pressed for the appointment of a Committee to which there is no objection *in limine*, I hope that the Government will not treat this as a Party matter, but will allow a Committee to be appointed which may get at the facts, and settle the question once for all. I do not think the City Companies need at all fear the result of such an inquiry.

*THE CHIEF SECRETARY FOR IRELAND (Mr. A. J. BALFOUR, Manchester, E.): It is not necessary that I should detain the House long on this matter. It must be evident to all who have listened, as I have, with attention to this debate, that a number of entirely separate questions have been raised by it. The Mover of the Amendment dwelt, in the earlier part of his speech, on certain incidents that have occurred in respect to the character of the bargain which one or two of those companies have made with heir tenants when they took advantage of the Ashbourne Act. That is, no doubt, an important question; but it is not the most important question which has been raised by the Mover and Seconder of the Amendment. The fact is that the Land Purchase Commissioners are, I believe, perfectly alive to the duties which rest upon them in this matter. I have no fear whatever that they will sanction any bargain under the Act which they administer that would be either unjust to the tenants on the estates or would imperil the interests of the British taxpayers. I shall, therefore, not enter into details on this point. But with regard to what I may call the main topic which has occupied the House during this discussion—namely, the duty of these companies, again I have to draw a distinction between two entirely different questions which arise. It is alleged that the companies are neglecting their duties. Are the duties referred to by those who attack the companies duties legally imposed on them by the terms of their charters, or are they moral obligations arising out of the general conditions under which the property is held and the terms on which it was given to to them? If the sole question is the legal question, I apprehend that the proper tribunal would not be a Committee of that House but a Court of Law.

MR. E. HARRINGTON (Kerry, W.): Two Resident Magistrates.

*MR. A. J. BALFOUR: I cannot quite make out from the speech of the Mover of the Amendment whether he thinks that the companies have legal obligations or not. The hon. Member read out to us the terms of one of the earlier charters, and if I rightly caught the sense of the passage that he gave to the House, the motives which actuated the Crown in making the grant were that the companies, or the parent company rather, were given these lands for the planting of Ulster in order to prevent and put down plots and domestic broils, the inroad of foreign arms, and superstition. If, therefore, the companies are to be kept legally to the terms of the bargain, and remembering also the religion which King James meant by "superstition," I do not think that hon. Gentlemen below the Gangway opposite will have much reason to congratulate themselves upon the result. I apprehend it is not thought by my hon. Friend or others that the legally binding terms of the charter are to be considered in this matter, but rather the general character of the obligations im-

posed on the companies. I apprehend that is so, although some phrases used by my hon. Friend seems to lead to the opposite conclusion. It is not on the legal aspect of the case, but rather on the general moral aspect revealed by the charter, that my hon. Friends rely. I quite admit the matter well deserves consideration, but some interesting questions arise. Is the moral obligation imposed on these companies a general moral obligation to use their funds generally for the public benefit, or is it an obligation to use the funds particularly for that locality in which the estates are situated? The obligation is not clear on the face of it, and that is a question into which the Committee, if the House should think proper to grant it, would certainly have to inquire. Then out of this arises another question. I gather that my hon. Friend thinks that the obligations of the companies are ear-marked for the particular area of the estate which up to this time they hold. That may or may not be the right view, but evidently it is not the view that has hitherto prevailed; for, as the right hon. Baronet (Sir R. Fowler) has pointed out to the House with considerable force, ever since these charters were first granted, almost from the moment the companies became freeholders of the estates, the process of sale now going on commenced and, in a series of years, from 1687 down to 1886, that process has gone on not indeed absolutely continuously, but still at intervals, and never so far as I know until the present debate or within a very recent period of time has it ever been contended that the obligations of the City companies were of a kind that compelled them to keep up their eleemosynary relations with that part of the country where these estates are situated after the estates were sold? I do not deny that that may be the case. I am only pointing out that never yet has it been held to be the case. Almost all great landlords have felt it part of the duty incumbent upon them as holders of large estates to bear a considerable share in supporting the charities of their district, and I suspect the City Companies supported these schools and churches to which my hon. Friend alludes rather in deference to this general principle than from any idea that they were compelled to pay this money for churches and schools under the terms of their Charter.

*MR. T. W. RUSSELL: The Irish Society actually spend all the money derived from the property upon the property.

*MR. A. J. BALFOUR: That is a still more important point. I now gather that my hon. Friend holds that the companies are not only bound to pay a certain proportion of their income on the local charities after they have sold their estates, but that, following the example of the parent society they ought to spend the whole of the money in improving the neigbhourhood where those estates exist. I do not know whether that is the view of the hon. Member, but it is the logical inference from his interruption.

*MR. T. W. RUSSELL: I simply made a statement of fact.

*MR. A. J. BALFOUR: Quite so. I thought I ought to indicate the kind of questions that would come before the Committee. It is not merely or chiefly a question of how the companies have treated their tenants under the Ashbourne Act; it is not merely or chiefly a question whether they ought, while they own the estates, to subscribe money for local charities; but the Committee will have to determine whether the terms of the Charter compel them legally to spend money in this way, whether if they are not legally compelled, they are morally compelled; and, if morally compelled, to what extent, in what proportion to income; whether the money should be spent on the estate or in the district; whether the expenditure should be confined to the district in which the estates are situated, or whether the money should be given to Ulster or to Ireland as a whole. All these are matters upon which I do not venture to give an opinion. In these few remarks I merely wish to indicate their character to separate some of the threads of the controversy. I have only to add, in conclusion, that although I cannot agree to the particular terms of the Motion of my hon. Friend, I see no objection to granting him the Committee he desires, but I think the terms had better be left to be settled at a later stage.

*MR. LEA: If I may be allowed a word in reply, I wish to say that I

would rather the House passed the Resolution in the terms I have moved it; but as the right hon. Gentleman has conceded the principle, and in the hope that an early day will be fixed for the appointment of the Committee, I accept the right hon. Gentleman's proposal, and am willing that my Motion should be negatived.

MR. M. KENNY (Tyrone, Mid): I should like to know from the First Lord of the Treasury when he will arrange for this Committee to be appointed. There are only about six weeks of this Session to run, and it is quite impossible for a Committee upstairs to dispose of such a subject as this within that space of time, and present a Report to the House. It is a farce to go on with this at this period of the Session; it is all pretence—manifest humbug. It is just as well to say so. This inquiry might as well have commenced in February if seriously intended. Will the right hon. Gentleman take his part in the farce and tell us when he proposes the Committee shall sit?

*THE FIRST LORD OF THE TREASURY (MR. W. H. SMITH, Strand, Westminster): In giving expression to this view, the hon. Gentleman has used language which is certainly not Parliamentary; but whatever may be the view of the hon. Gentleman, it appears to me that great advantage may be derived from the nomination of a Committee even at this period of the Session, because the preliminary arrangements for inquiry can be made, and if this inquiry is not completed when the Session terminates, it will be quite in accordance with the practice of Parliament if the inquiry is resumed in the coming Session. I hope the House will accept the proposal of my right hon. Friend. The Motion for the appointment of a Committee shall be put upon the Notice Paper within a few days, and it will certainly be proceeded with without delay, unless opposed by hon. Gentlemen below the Gangway opposite.

Question proposed, "That the words proposed to be left out stand part of the Question," put, and agreed to.

Motion, by leave, withdrawn; Committee to sit on Monday, 1st July.

PALATINE COURT OF DURHAM BILL. [LORDS]. (No. 283.)

Order for Second Reading, read.

Motion made, and Question proposed, "That the Bill be now read a second time."

MR. CONYBEARE (Cornwall, Camborne): Before the Second Reading of this Bill is passed, I think we are entitled to hear from Her Majesty's Government some explanation of the details in connection with it. It is now becoming a regular practice to rush Bills of this kind through the House without a word of explanation, no Minister deigning to get up and make the Motion from his place. I notice the Bill comes down to us from another place, and should therefore be regarded with an extra amount of suspicion.

*MR. SPEAKER: Order, Order! The hon. Member must speak with respect of the other branch of the Legislature.

MR. CONYBEARE: I have noticed the Bill comes to us from another place, and the wisdom of its provisions will require a great amount of attention on our part. This is an additional reason why, to my mind, we should require a little enlightenment from Her Majesty's Government, and this, I hope, we may have before we decide upon the Second Reading.

Question put, and agreed to.

Bill read a second time, and committed for Monday, 1st July.

SUPERANNUATION (OFFICERS OF COUNTY COUNCILS) BILL (No. 60.)

Order for Second Reading, read.

Motion made, and Question proposed, "That the Bill be now read a second time."

MR. KENNY (Tyrone, Mid): It is contrary to the general understanding to take advantage of an unexpected opportunity on a Friday evening, to rush a Bill of this description through without explanation. I hope we shall not be asked to proceed with a Bill of which we know nothing. The Attorney General is present, and perhaps he can give us the Government view in regard to it.

Notice taken that 40 Members were not present; House counted, and 40 Members not being present,—

House was adjourned at ten minutes before Twelve o'clock till Monday next.

HANSARD'S PARLIAMENTARY DEBATES.

No. 11.] FIFTH VOLUME OF SESSION 1889. [JULY 9.

HOUSE OF LORDS,

Monday, 1st July, 1889.

The Lord Vaux of Harrowden—took the oath.

WESTERN AUSTRALIA CONSTITUTION BILL.

A Bill to enable Her Majesty to assent to a Bill for conferring a constitution on Western Australia—Was presented by the Lord Knutsford; read 1ª; to be printed; and to be read 2ª on Tuesday the 9th instant. (No. 125.)

SERVITUDES REDEMPTION (SCOTLAND) BILL.

A Bill to enable proprietors of land in Scotland to redeem certain servitude rights—Was presented by the Lord Meldrum (M. Huntley): read 1ª; and to be printed, and to be read 2ª on Tuesday the 16th instant. (No. 126.)

DELAGOA BAY.

QUESTIONS—OBSERVATIONS.

THE EARL OF ROSEBERY: I wish to ask the noble Marquess at the head of the Government questions of which I have given him private notice. First, whether he can give your Lordships any information as to what is going on at Delagoa Bay; and next, as to the state of negotiations between this country and Portugal thereupon?

THE PRIME MINISTER AND SECRETARY OF STATE FOR FOREIGN AFFAIRS (The Marquess of SALISBURY): My Lords, in answer to the two branches of the noble Lord's question, I will first refer, as he puts them, to what is going on at Delagoa Bay. We cannot have any very distinct information. We rely entirely upon telegrams, and we have the misfortune that our Vice-Consul is at present very ill and absent on sick leave. We have a very excellent and able gentleman who is acting as Vice-Consul in his place, but of course he has not the same experience. I can only say that in order to provide against any accident we have sent three ships round to Delagoa Bay, not of the largest kind, but we hope quite large enough to be able to cope with any difficulty which may arise. With respect to our negotiations with Portugal, I hope I shall not be considered undiplomatic if I say that the action of Portugal has been very high-handed and, in my opinion, very unjust. But the action of Portugal has been in the first instance directed against the Portuguese Company. That Portuguese Company employed an English Company to find money to make this railway; and probably the result of the action of Portugal will be loss to the English capitalists. We have informed the Government of Portugal that we shall hold them responsible for all loss to which British subjects may be subjected, and to that responsibility we shall assuredly keep them. But further than that I hesitate to go, because legal questions of some delicacy are involved, and until we have obtained all the guidance we can obtain it would be rash to make any further statement.

MAR PEERAGE.

*THE EARL OF GALLOWAY: My Lords, I rise in support of the Notice and Motion standing in my name, which is as follows:—

"To call attention to a document regarding the Earldom of Mar, bearing the signatures of upwards of a hundred Peers, in which they signify their opinion 'That an inquiry into the statements' [therein contained] 'would conduce to the due preservation of law and order, to the maintenance of the dignity of the House of Lords, and of the integrity of the Scottish Peerage, and to move to resolve:

"That the document referred to be laid on the Table of the House, and that an investigation be made into the merits of the facts therein stated by 'the Standing Committee for Bills relating to Law,' or by some such other tribunal as this House may direct;

"And that the protests made by the Earls of Mar and Moray at Holyrood on 10th January, 1889 (printed by order of this House on the 22nd February), respecting the allegation for the first time in 1875 of a fresh creation in 1565 of an Earldom of Mar, be also submitted for the consideration of the Committee, with the view of their eliciting whether such is consistent with the acceptance by this House of the Roll of the Peerages of Scotland as authentic at the Union in 1707, on which there was none but the ancient Earldom of Mar recorded;

"And further, that there be called to the special notice of the Committee, for their guidance, the Restoration Act of the ancient Earldom of Mar in 1824 (after its attainder in 1715), as well as the Report of the Law Officers of the Crown in 1824 upon which it was enacted, showing the position of the Earl then restored as his mother's heir;

"And this with the object of the whole question receiving a thorough investigation in the interests of law and order."

The fact of the desire for investigation into the whole matter being signed by upwards of 100 Peers, and the course I am now pursuing have been the result of the unexpected vote in this House on July 16th, last year (1888), as to rescinding an "order" of the House in 1875, the rescinding of which was regarded as a mere logical *sequitur* of the Act of 1885. Hence we anticipated no opposition, and we considered that the Earl of Selborne would have been the first to uphold law and order, and to aid in rescinding the irregular "order" of 1875, which enabled the authorities at Holyrood to accept the vote of the late Lord Kellie in right of the ancient Peerage which he never claimed, to which the Committee for Privileges had not found him entitled, and to which his right had certainly not been ratified by the Crown. That order was transmitted to Scotland, without the decency of one day's respite for consideration by the House of Lords, without waiting for the assent of the Queen; and by whom or by whose sanction it was sent, no one knows. My Lords, the above facts were those which induced a certain number of Peers to protest at once, before the end of last Session, at such a vote having been taken, and to express their determination to have the question re-opened; but there was no chance of proper discussion, it being too late in the Session, and thus the matter was postponed until this year. And now, my Lords, the necessity for a thorough investigation into the whole matter is still more obvious and more urgent, in consequence of the death of the late Lord Kellie. Before proceeding, it is right to mention that some feeling against Lord Mar seems to have arisen from the fact that on the late Lord Kellie's death, last autumn, Lord Mar wrote to his son protesting against his assumption of a title of Mar, and that he did this just before his father's funeral. It is but fair to explain, in Lord Mar's defence, that he was forced against his will, by the unprecedented circumstances of the case, to take that course, and not tacitly to allow the present Lord Kellie to sign his name as "Mar," even at that distressing moment, which is usually the first occasion when a Peer formally adopts his title on succession. Lord Mar expressed himself to Lord Kellie in these words—

"It is with regret that at this sad moment, in order to fulfil my duty to myself and my heirs, as well as to preserve the integrity of the Scottish Peerage, I have been compelled to lodge my formal protest against your assumption of an Earldom of Mar which, I maintain, has in law and in fact no existence in the Peerage of Scotland."

My Lords, upwards of 100 Peers have expressed their opinion that inquiry into the statements regarding the Earldom of Mar, assumed by Lord Kellie, is necessary to maintain the integrity of the Scottish Peerage and the dignity of this House. Now, why is the dignity of this House concerned? Because in 1875 a Report was issued by the Committee for Privileges that the Earl of Kellie had made out his right to an Earldom of Mar "created in 1565" for the Erskines, and limited to their male heirs. I state, without reserve, that this Report was made utterly without foundation, and on Lord Chelmsford's (one of the Lords of the Committee) own admission in giving his judgment, in these words, "When and how did this creation take place? There is no writing or evidence of any kind to assist us."

EARL GRANVILLE: My Lords, I wish to ask the noble Lord whether he is not reading his speech?

*THE EARL OF GALLOWAY: I will answer the noble Lord's question. I

have written out pretty consecutively what I propose to state to your Lordships, and for a double reason, which I hope your Lordships will easily understand. First of all, owing to a very severe accident last year, I have found that my powers of concentration of memory are not what they used to be; and, secondly, a more important reason, perhaps, is that I thought upon an important question of this kind it was most desirable that I should not say one word in your Lordships' House which might be found to be inaccurate upon conversion into print. I have, therefore, written out consecutively what I propose to state to your Lordships.

EARL GRANVILLE: I beg to say that it is absolutely contrary to the practice of this House, and of the other House, to read a speech. There is a passage in Sir Erskine May's valuable work, which states that in this country it has always been the practice for Peers to make their speeches, though they might refresh their memory from notes. I think the noble Lord would be introducing a very bad precedent by the course he is taking of reading a written speech in this House.

LORD ELLENBOROUGH: I entirely concur with what has fallen from the noble Earl, but I would venture to remind him that the Duke of St. Albans read his entire speech in moving the Second Reading of the Deceased Wife's Sister's Bill, or at least the greater part of the speech.

*THE EARL OF GALLOWAY: My Lords, I have given a special reason for this, and I hope your Lordships will kindly grant me your indulgence on this occasion, as I wish to lay before you what I have to say properly, tersely, and without introducing anything which I would rather not introduce. I hope, therefore, the noble Earl will withdraw his objection.

EARL GRANVILLE: I am entirely in the hands of the House, particularly after the way the noble Lord has put the matter now to your Lordships, but I must remark that the course he has been pursuing is certainly a departure from the usual practice, and I think it would be very undesirable to establish a new practice of the kind.

*THE EARL OF GALLOWAY: Then, my Lords, I will proceed using my notes, though not to the same extent as before. I venture to urge upon your Lordships that the dignity of this House is concerned in this matter, because the Report issued by the Committee of Privileges in 1875 that the Earl of Kellie had made out his claim to an Earldom of Mar, created in 1565 for the Erskines, and limited to their male heirs, was made utterly without reason. In corroboration of this I have quoted the late Lord Chelmsford's own admission in giving his judgment that there was no evidence of any kind of such creation. The truth is, there is not, never has been, and never will be, such an Earldom of Mar in the Peerage of Scotland. The consequences arising from this fact, though there is no second Earldom of Mar, appeared the moment that fiction was propounded. The dignity of this House has for years been assailed in consequence of the truth of what I assert, and what we earnestly ask to have thoroughly and impartially investigated. Now, what was the immediate result of that groundless report? Before Her Majesty's pleasure was taken, an "order" was sent that Lord Kellie should vote in the place where the Earldom of Mar on the Roll was called at Holyrood. Was that Earldom of Mar, standing on the Roll, the Peerage alleged to have been "created in 1565," for the Erskines and their male heirs, and conceded to Lord Kellie in 1875? No, my Lords, the Earldom of Mar standing on the Roll was never inherited through Erskine blood or heirship.

EARL GRANVILLE: I really do not like to interrupt, but the noble Lord is still going on steadily reading his speech to the House. He is reading it even now. I do not know whether we are to adopt this new system or not.

*THE EARL OF GALLOWAY: My Lords, I should be very sorry to deny that I am referring to my own notes. I have kept on doing so, notwithstanding interruptions, and I have often seen equal transgressions of the rule. I really think, after the explanation which I have made, the noble Earl might allow me on this occasion to refer to my notes, in order that I may be perfectly accurate in what I desire to say. It is very difficult for me to follow the narrative under these circumstances, and I should have thought it would have been the object of the House to

understand exactly what it is that is asked. Now, my Lords, I will ask, was that the old Earldom of Mar that was standing on the Roll? That was the point at which the noble Earl interrupted me. The Earldom of Mar stands on the Roll with a precedence of over 150 years, or nearly 200 years before 1565. Moreover, that ancient dignity at that moment was already inherited on the death in 1866 of its late holder, by his nephew, who succeeded to it under the same conditions as all the other Scotch Peers, and who now sits in this House in right of it. He voted as holder of this old Peerage from 1866 up to 1875, when, in the absence of the alleged new "creation in 1565 from the Roll," it was found convenient to allow Lord Kellie to appropriate this ancient dignity. In obedience to the order of 1875, Lord Kellie was allowed for ten years to vote under this time-honoured Earldom of Mar, which he had never claimed or been adjudged, and this, too, in direct contradiction of the decision of this House, conceding him an alleged title of Mar, of a different date and origin, unrecorded and unheard of up to that year, 1875. My Lords, I call your attention to-day to these facts, because it was only after years of struggling for right that we obtained it in a small measure. Now, we ask to have the assertion sifted that there is no other Earldom of Mar than that held by the owner of the ancient Earldom of Mar, who now sits in this House as one of the 16 representative Peers. We earnestly ask you not to delay this investigation which must come sooner or later. My Lords, it may, perhaps, be said that to investigate a decision of the Committee of Privileges is unprecedented, and against law and order, but if that Committee has reported to this House that Lord Kellie had made good his right to what many of us are well aware is an unknown, because a non-existing and absolutely mythical Peerage, it has been the first to violate law and order, and it has thus placed this House in the undignified position of pretending that there is a second Earldom of Mar, when we know well that there is not, and never has been, such a Peerage in existence. The death of the late Lord Kellie, and the assumption by his son of this phantom title of Mar, render it the more imperative that this matter should now be investigated, for of course it is utterly impossible that the fiction can be permitted to be kept up in perpetuity. Now, we do not ask your Lordships to deprive Lord Kellie of an Earldom of Mar. We say that neither he nor his father have, in law or in fact, ever been Earl of Mar, for surely no one will pretend that a Committee for Privileges can create a Scotch Peerage, which, by the Treaty of Union is beyond the power of the Crown, Lords, and Commons to grant. After 1875 it was found convenient to allow Lord Kellie to appropriate that ancient dignity which he had never even claimed. I want to impress upon your Lordships that in obedience to the order of 1875 Lord Kellie was allowed for 10 years to vote as the owner of this time-honoured Earldom of Mar which he had never claimed or had adjudged to him, and that, too, in direct contradiction of the decision of this House conceding him an alleged title of Mar of a different date and origin unrecorded and unheard of until the year 1875.

EARL GRANVILLE: My Lords, I think the practice of this House and the House of Commons ought to be observed. It is also the practice of foreign legislatures not to allow speeches to be read verbatim. The noble Earl has stated that he must go on reading in order to be correct; but I certainly object to the noble Earl reading his speech.

LORD ELLENBOROUGH: My Lords, I desire to reiterate that I have seen a noble Lord read his speech without objection being taken.

VISCOUNT CRANBROOK: There is no doubt that the rule as to not reading speeches is imperative and is adhered to in both Houses. But I remember a case in the House of Commons in which a certain gentleman did practically read his speech, but it was done with so much care that nobody could ever convict him of doing so.

LORD ROSEBERY: I think, my Lords, we might meet the difficulty in this way, which is not unusual in other places, by a motion that the speech be taken as read. I do not desire to make any formal motion, but I rise on a point of order, because there is one thing against which I must protest. If I am not greatly mistaken I have heard the noble Earl speak of a Member of your Lord-

ships' House by a portion only of his title—as the Earl of Kellie and not as the Earl of Mar and Kellie. The Earl of Mar and Kellie owes his title to the same Act which gave to another Member of this House his title. I therefore protest against a noble Lord being called by a title which is not his.

*THE EARL OF GALLOWAY: My Lords, it is most difficult to meet these interruptions. I put it simply in this way that it is for the purpose of convenience, to enable your Lordships to understand what I am bringing before the House, and the argument upon which I place the matter before it. It was only for the public convenience that I spoke in that way. Probably, the noble Earl is not aware that the late Earl of Mar and Kellie—or the late Earl of Kellie as I will still call him—was originally elected as a representative Peer of Scotland by the title of Earl of Kellie. It was afterwards that he was created or assumed the title of Earl of Mar. It is, I think, more convenient that I should refer to my notes. I have already stated over and over again that I cannot get on without them.

*THE MARQUESS OF LOTHIAN: I must protest against the noble Earl calling a Member of your Lordships' House by only a part of his title. If the noble Lord persists in referring to the Earl of Mar and Kellie as the Earl of Kellie only, I wish to correct the statement just made by the noble Earl. The late Earl of Mar and Kellie was elected at Holyrood in 1876 as the Earl of Mar and Kellie, and not, as stated by the noble Earl, as the Earl of Kellie only. I shall move that he is out of order.

*THE EARL OF GALLOWAY: It is very evident to me, my Lords, that there are a certain number of Peers in the House who wish to burke the inquiry. I have had the honour of sitting in this House for a good many years, and I have never known of any Peer being so much interrupted. Investigation will prove that Lord Mar derives no new right in consequence of the Declaratory Act of 1885, which was passed merely "to remove doubt"—doubts which were quite unfounded, cast on his right by all these unprecedented proceedings. But on the other hand, Lord Kellie derived a new right through a provision in that Act; for, observe, the decision of the Committee for Privileges being utterly without foundation, Lord Kellie could not have voted at all as holding an Earldom of Mar of 1565, simply because there is no such title of Mar in the Peerage of Scotland. He had pretended for ten years to vote as Earl of Mar, as if in right of the ancient Peerage. This he did under the bar of seventy protests at Holyrood. When that pretence was taken from him, where was he to vote? The danger was imminent that the world would find out that he had been given a mythical title of Mar. As the decision of the Committee for Privileges could not give him a right to vote, some other means had to be invented for him. The Declaratory Act of 1885 was passed solely to do justice, though only partial and tardy justice to his opponent, Lord Mar, the inheritor from his uncle of the ancient and only existing Earldom of Mar. Those who stood sponsor for the fiction—and I fear from the Amendment of which he gave Notice two days ago—notably the Earl of Selborne, invested Lord Kellie for the first time with a new right, the means of going through the form of voting as if he held an Earldom of Mar, dated 1565. Now, my Lords, the fact cannot be got over, that Lord Kellie thus votes as Mar, though he does not, and never can hold, an Earldom of Mar in the Peerage of Scotland. Why does he do this? We Scotch Peers respond and vote in right of the authentic Peerages we hold, and we deny the power even of an Act of Parliament, passed for one special purpose, to scatter the Treaty of Union to the winds, and to endow any person with the right of voting at Holyrood under a non-existing Peerage, interpolated for his convenience on election days only, but unrecorded and unheard of before 1875, causing confusion and irregularity, and utterly subversive of law and order. This needs no comment, but it needs investigation of the most thorough and impartial character, for even an Act of Parliament cannot deal with a myth. My Lords, it cannot be denied that, for ten years, this House unjustly suspended the rights of the Earl of Mar, for the benefit of the Earl of Kellie, who had been given a non-existent title of Mar, which in no way legally affected Lord Mar's right and inheritance of the ancient dignity.

THE EARL OF ROSEBERY: My Lords, I do rise to order again. The noble Lord persists in speaking of the Earl of Mar and Kellie as the Earl of Kellie. The noble Lord has no right, in referring to a Member of this House, to deprive him of a title which has been adjudged to him by Act of Parliament.

*THE EARL OF GALLOWAY: What is the use of noble Lords constantly interrupting? I really cannot go on.

*LORD ORANMORE AND BROWNE: I think these interruptions are rather unfair. Noble Lords are not commonly spoken of by all their titles. For instance, the Duke of Argyll is called the noble Duke, but he does not sit in this House as the noble Duke at all. That is the common rule. There are many cases of Scotch and Irish Peers who are not referred to by the title by virtue of which they sit in this House, but by some other. It is the same with Ministers of the Crown; they are not mentioned here by the titles under which they sit.

THE EARL OF ROSEBERY: I agree with the noble Lord to this extent, that when there are two titles, noble Lords are spoken of by the more ancient title of the two. Therefore, in this case, if the Earl of Mar and Kellie is not so spoken of, he ought to be referred to by his more ancient title of the Earldom of Mar.

*THE EARL OF GALLOWAY: We Scotch Peers who understood the matter constantly besought you to do justice, which, after due investigation, was partially accomplished by the Declaratory Act of 1885, but can we return to Lord Mar those years of wrong and anxiety, or offer any compensation for having caused him to struggle against injustice, for that which we enjoy without any such struggle, and which was already his birthright as much as that of any and every peer in this House? I beg you not again to delay this investigation, which would occupy but a very short time, for there is absolutely no evidence to investigate with regard to the mythical "Earldom of Mar of 1565," created really in 1875. What I want to observe, my Lords, is that the Report of the Committee of Privilege was admittedly, by Lord Chelmsford's own words which I have already quoted, given on no evidence, because when this Earldom of Mar was created mythically in 1565, there was no such title on the authentic roll of Peerages of Scotland. Nevertheless, the late Earl of Kellie persisted for ten years in voting as Earl of Mar in right of that title, though he did so under a bar of protest on the part of some 70 Peers. I can assure your Lordships the matter can never rest till the truth is acknowledged. We Scotch Peers, and the Scotch people who preserve an interest in their traditions and rights, are tired of pretending that there is a second Earldom of Mar, when all know there is no such thing in existence. Therefore, I am sure your Lordships will feel with the large number of Peers who have expressed their desire that a thorough investigation be made into the whole matter. This can do no harm to a good right. For to admit the truth will relieve this House from a serious embarrassment, and the Committee from the continuance of a great wrong, which seriously compromises the integrity of the Scottish Peerage and the dignity of this House. I adjure your Lordships not to permit your judgment to be warped in a matter which manifestly concerns law and order as well as right, truth, and justice, but to accept this Motion which I have the honour to move:

Moved to resolve,

"That a document regarding the Earldom of Mar, bearing the signatures of upwards of a hundred Peers, in which they signify their opinion 'That an inquiry into the statements' [therein contained] 'would conduce to the due preservation of law and order, to the maintenance of the dignity of the House of Lords, and of the integrity of the Scottish Peerage,' be laid on the Table of the House, and that an investigation be made into the merits of the facts therein stated by 'the Standing Committee for Bills relating to Law,' or by some such other tribunal as this House may direct;

And that the protests made by the Earls of Mar and Moray at Holyrood on 10th January 1889 (printed by order of this House on the 22nd February) respecting the allegation for the first time in 1875 of a fresh creation in 1565 of an Earldom of Mar be also submitted for the consideration of the Committee, with the view of their eliciting whether such is consistent with the acceptance by this House of the Roll of the Peerages of Scotland as authentic at the Union in 1707, on which there was none but the ancient Earldom of Mar recorded;

And further, that there be called to the special notice of the Committee, for their guidance, the Restoration Act of the ancient Earldom of Mar in 1824 (after its attainder in

1715) as well as the Report of the Law Offices for the Crown in 1824 upon which it was enacted, showing the position of the Earl then restored as his mother's heir;

And this with the object of the whole question receiving a thorough investigation in the interests of law and order."—(*The Lord Stewart of Garlies* [*E. Galloway*].)

*THE EARL of SELBORNE: My Lords, I rise to move, by way of Amendment to the Motion, to leave out all the words after "that," and substitute the following Resolution:—

"That the right of the Earl of Mar and Kellie in the Peerage of Scotland to an Earldom of Mar created in 1565 having been established on claim duly made before the Committee of Privileges, and confirmed by Resolution of this House in 1875, and having been since recognized by the Act of Parliament passed in 1885 for the restitution of the more ancient Earldom of Mar, and the late Earl of Mar and Kellie having sat in this House by that title as one of the Representative Peers for Scotland, the right and title of his successor, now Earl of Mar and Kellie, to that Peerage is unimpeachable in law, and cannot be called in question in this House."

I cannot affect to feel surprised that the noble Earl should have committed those irregularities of which notice has been taken, because his Motion is in itself irregular and contrary to that law and order of which he professes himself the champion, as well as contrary to the practice and law of your Lordships' House. I have three reasons for coming forward to propose this Amendment. One is that I take quite a different view of the honour and dignity of your Lordships' House from that of the noble Earl; and I think nothing could be done which would more compromise the honour and the dignity of the House than the adoption of such a Resolution as that which the noble Earl has proposed. My second reason is that I had a large share of responsibility for the introduction, and I think I may even say for the passing, of the Restitution Act of 1885; and having that responsibility it would not have been becoming of me to refuse the appeal made to me by the present Earl of Mar and Kellie, which is my third reason for coming forward on this occasion. In a letter containing this appeal, dated April 5, the noble Lord, who is not a member of this House, said—

"I would not willingly trouble your Lordship on a matter which cannot be of much interest except to those who are immediately concerned, I mean the Mar Peerage case. The fact of your Lordship having taken a leading part in the passing of the Earldom of Mar Restitution Act of 1885, which was intended to settle the question, is, I trust, a sufficient excuse for addressing you on the subject. As your Lordship is doubtless aware, my father died last September, and on the very day of his funeral I received a letter from Lord Mar protesting against my assumption of my father's title of Mar, and also hinting in so many words that he would not rest until he had dispossessed me of my title and taken possession of my estates, to which he, in spite of the decision of the highest Court of Appeal in the country, still fancies he has a right. I also labour under the disadvantage of not possessing a title which gives me a seat in the House of Lords, and in consequence of not being able to defend myself there."

I have, therefore, been appealed to in a manner which I could not resist. I do not, I confess, think it is so great a disadvantage to the noble Earl not to take part in a debate concerning himself; for if I might be permitted to recommend to others a rule which I should think it right to follow myself, I think those who are personally interested in any question must speak at very great disadvantage if they come forward to advocate their own cause. Therefore, I think it is perhaps on that account better for the noble Earl not to be placed in a position in which he might have been tempted so to do. Well, my Lords, having said so much, I will now proceed to give my reasons for urging, first of all, that the Amendment should be adopted; and, secondly, that the Motion of the noble Earl opposite should not be adopted. Now, with regard to the Amendment, it merely states matters of fact about which there can be no dispute, and a conclusion of law which I do not think any noble Lord who is at all conversant with the law will be disposed to call in question. The first matter of fact is that the right of Lord Mar and Kellie to an Earldom of Mar created in 1565 was, on claim duly made, established before the Committee of Privileges and confirmed by the usual resolution and adjudication of your Lordships' House in 1875, 14 years ago. The noble Earl, if he were cognizant of law, would certainly not have made a quotation from one of the Judgments in that case which he did. Lord Chelmsford, who was a man of some intelligence as well as knowledge of the law, seemed to have been understood by the noble Earl to have said that he had no evidence of any kind to go upon for the

conclusion at which he arrived. Lord Chelmsford said nothing of the kind.

*THE EARL OF GALLOWAY: I quoted from the journals of the House.

*THE EARL OF SELBORNE: If the noble Earl had understood what he read he would not have placed that construction on Lord Chelmsford's words, or cast that aspersion upon Lord Chelmsford. The ancient Earldom of Mar had been practically in abeyance for about 150 years. Not only had it been in abeyance, but acts had been done by the Kings of Scotland which assumed its forfeiture or surrender. Practically and *de facto* it was not existing. Queen Mary gave a charter of restitution which did not mention the honour and dignity, though it spoke in Latin of the *comitatus*, and the Committee of Privileges held that that meant the lands, and that the dignity was not restored by the charter. An additional ground for that conclusion, besides the language of the charter, was that there was an interval of more than a month after that charter during which the person who subsequently appeared in Parliament as Lord Mar continued to attend the Privy Council, and did public acts not under the title of Mar but under the title of Erskine. On the day of Queen Mary's marriage with Lord Darnley that Lord first bore the title of Mar; and under that title he sat in Parliament from that time forward; and therefore you have what I may describe as not an uncommon instance of a Peer whose patent is not forthcoming, but whose Peerage was established by sitting in Parliament. The question, therefore, for the Committee of Privileges in 1875 was whether that was a new creation or a restoration and revival of the old Peerage, or a claim established to sit by right. Of the last hypothesis there was no trace whatever. It was held on the legal construction of Queen Mary's charter, that there was no restoration; but the unanimous judgment of Lord Cairns, Lord Chelmsford, and Lord Redesdale was that it was a new creation. I would remind your Lordships of what Lord Cairns said. Lord Cairns, who was at that time Lord Chancellor, never changed his mind as to the correctness of the decision arrived at in 1875, although he was favourable, as I ascertained from personal communication with him shortly before his lamented death, to the restitution of the old Earldom by Act of Parliament. His words were:—

"I am of opinion that it is clearly made out that the title of Mar, which now exists, was created by Queen Mary some time between the 28th of July and the 1st of August, 1565. It appears to me perfectly obvious, from every part of the evidence, that in the greater part of the month of July, and before that creation, there was no title of Mar properly in existence."

After the Committee reported their opinion to the House that the Earl of Kellie had made out his claim to be holder of the dignity of Earl of Mar in the Peerage of Scotland, created in 1565, the House passed a Resolution in conformity with that opinion, which was ordered to be laid before the Queen and transmitted to the Lord Clerk Register. The noble Earl seems to think that the usual course was in some way departed from on that occasion. That is not the fact; the usual course was in all respects strictly followed; and the noble Earl must excuse me for saying that the great lawyers who decided that question were much more competent to consider it than the noble Earl. The Constitutional way in which all claims to Peerages are determined is, first, to Petition the Crown; then the practice, never departed from, is to refer that petition to the Attorney General; if there is, in the opinion of the Attorney General, no question to be investigated, his report is usually acted upon as sufficient; but if he reports that there is a question which requires investigation, the matter is referred to the Committee of Privileges. The Report of that Committee comes before the House, which, in point of fact, always adopts it, and the decision is laid at the foot of the Throne; the Sovereign never interferes with it, any more than she does in any other case of an adjudication in due course of law; and on the footing of that decision all subsequent measures are taken. A very great number of claims to Peerages have been determined in that way; and there is no other way in which they can be determined. If the principle of the noble Earl's Motion, who asks your Lordships to review one of those decisions, solemnly and unanimously arrived at, in a way never before heard of, could be admitted, no Peerage resting upon a Resolution and adjudication of your Lordships' House agreed to in the usual and Constitutional way could ever be safe.

Many of those cases have been decided with doubt and difficulty, and with division of opinion. I will not name them; but in one case I have in my mind the late Lord Redesdale differed from Lord Cranworth and Lord Brougham, who both said it was the most difficult question on which they had ever had to make up their minds; still, they reported in favour of a noble Lord, who now sits in this House by virtue of their decision; and no one had ever said since that because the question was a difficult one the decision should be called in question. While I am referring to this matter, I think it is worth while, in order to remove any misapprehension which may exist, to mention that in 1858, in that very case to which I have referred, the present Lord President of Scotland, then Lord Advocate, said expressly that with regard to the question of rank and order of precedence it had not been uncommon, when an old title was newly granted, to give the precedence of the old Peerage. The authority of the decisions of the Committee of Privileges, when confirmed by the House, is, if possible, even greater as to Scotch than as to English Peerages; being recognized, as to Scotch Peerages, by an Act of Parliament passed in 1847. That Act recites the Union Roll, to the list contained in which (it says) sundry Peerages of Scotland have been added by order of the House of Lords; and it goes on to provide for the authority of the House of Lords to make orders and to allow or disallow claims to Peerages. When the noble Earl talks about "law and order" I hardly know how to treat him seriously. With regard to the authority of such a decision in England, and the authority which belongs to a Resolution of this House, if the claim is not made out, of course it is open to the claimants to bring forward the claim again; but if it is made out, there is not a single instance on record of any attempt having ever been made to review, or revise, or to treat as open to review or re-consideration, that decision so long as the lawful descendants of the person who has held the title continue alive. It has been held that when the lawful descendants are exhausted if some one comes forward and says—if, in point of fact, a statement is made—"My ancestor was the true heir," it has been held in one or two cases that further inquiry before another Committee of Privileges is not excluded. But it was expressly said by the first Lord Redesdale, who understood Peerage law as well as any man ever did, in 1807, that in favour of the person whose claim has been allowed and his descendants, the finding of the Committee of Privileges, confirmed by the House, is conclusive, and there is not a single instance to the contrary. The Act passed in 1847 as to Scotch Peerages, as I have said, expressly recognizes the authority of the House of Lords; and it contains a clause that whenever any Peer or Peeress shall have established his or her right to any title—the very thing that was done in this case—the Lord Clerk Registrar, or the Clerks of Session shall not, during the life of such Peer or Peeress, allow any other person claiming to be entitled of such Peerage to take any part in any election of Representative Peers for Scotland. Your Lordships will not think that it was intended to establish life Peerages, or interfere with succession to lineal heirs. But, of course, on a succession after death, the successor must be called, and take part in those elections. So that the authority of this House, exercised in the ordinary way with regard to Scotch Peerages, has been put upon a statutory footing, which, as far as I know, is not the case with regard to England. Well, my Lords, so much for that first step in the matter. In the present case, it does not rest there. That has happened in this case which is not likely to happen again under ordinary circumstances—there has been a direct recognition and confirmation by Act of Parliament of the determination of the House in 1875. The noble Earl now brings forward a document signed by a certain number of Peers. In the year 1884, 104 Peers signed an Address to the Queen; and certainly there was not the same impropriety in that Address, if I may venture to say so, that we have here, because that Address prayed for the restoration of the noble Earl, who is now a Member of this House, to the ancient Earldom, on the ground that his position remained untouched by the finding in 1875 that an entirely different title belonged to the Earl of Mar and Kellie. That was the Petition in 1884, and of

course it could not be acted upon in an arbitrary way; but in compliance with that request Her Majesty signified her pleasure that a Bill of Restitution should be introduced. My Lords, it would have been very wrong to have passed that Act, a Restitution Act, in a form which could disturb the previous decision of the House, or leave this question open. I am bound to offer my testimony to the conduct on that occasion of the late Earl of Mar and Kellie. He might have opposed the passing of that Act. A strong Committee of lawyers and laymen examined the Bill, and if his Lordship had opposed it it is impossible to say what might have been the result. But what he said, in effect, was this:—"As long as it is clear that my rights are not interfered with I will not stand in the way of this Restitution Bill." And his Lordship did not. He acted honourably and generously: no doubt, it did not cross his mind that any of your Lordships would break faith with him. And now I must call your Lordships' attention to what was actually done by that Act. It recited some previous matters which I may pass over, including the Act of Restoration passed in the reign of George IV., which removed the attainder of 1715; then there is a recital of the opinion of the Committee of Privileges, and the proceedings before this House; and it is further recited that by the Resolution of this House the right of the said Earl of Kellie to the honour and dignity created in 1565 was established. Well, that alone, I should have thought, was sufficient. The third clause dealing with the subject of precedence is in these words—

"From and after the passing of this Act the Earldom of Mar hereby restored shall be called in all elections of Representative Peers of Scotland, next after the Earldom of Sutherland; and the Earldom of Mar now vested in the said Walter Henry Earl of Mar and Kellie, shall be called at all such elections in the place and order properly belonging to an Earldom created in the year 1565, anything to the contrary notwithstanding."

It is expressly enacted by Parliament that it shall be so called in all elections. There is not a Peer in your Lordships' House who, in point of law, sits by a clearer or stronger title than the Earl of Mar and Kellie in the Peerage of Scotland, at all events since the passing of the Act; and, if anything else were wanted, you have the fact that the late Earl of Mar and Kellie sat for 10 years in this House.

THE EARL OF GALLOWAY: Voted.

*THE EARL OF SELBORNE: And sat. On the Roll of the House, both before and since that year, he has appeared as the Earl of Mar and Kellie. I do not suggest that that was necessary; the right to the title would have been complete without it, but I think it right to take notice, in the Amendment which I have submitted to your Lordships, that you have that fact in addition. A more monstrous thing than to attempt to interfere with a title so established was never heard of. And who is injured by it? The noble Earl who has been restored to the ancient Earldom retains the right which he obtained by that restitution, and his advocates appear to be desirous to do what is called in Scotch Law approbate and reprobate—that is, they wish to take the benefit of the Act of Restitution, and, at the same time, to reject those clauses in it which expressly recognize and protect the rights of the Earl of Mar and Kellie. That, if it were possible that it should be done, would be nothing less than a fraud upon the Crown and Parliament. There is another matter, but for which I strongly suspect that your Lordships would not have been troubled with the present debate. There is something involved here relating to property. These are matters which justify, I think, the Amendment of which I have given Notice. It is not necessary for me to say anything further upon that matter, and I wish I could stop here; but I do protest against the attempt to use the position of Members of this House for the purpose of interfering with individual and private rights, contrary to all Constitutional principles, contrary to the procedure of all Courts of Law, and contrary to titles to Peerages already established. Now, my Lords, let me remind you what has been done. In June, 1887, a Petition was presented by the noble Lord, now a Member of this House by virtue of that Act of Restitution, in which Petition he raised questions about property, and wanted the House to go into a question of title to land. The noble Earl (the Earl of Galloway) gave Notice of a Motion on that subject. That matter

is not dropped now, and I must tell your Lordships how it stands. The present restored Earl of Mar brought an action in the Court of Session of Scotland for the estates which formerly belonged to the Earls of Mar, and which had been settled by legal deeds by persons competent to settle them. The Court of Session unanimously held that the pursuer had no pretence of a claim to those estates. That case as to the property was brought to the Bar of this House in the ordinary course of appeal, and an unanimous judgment was, here also, pronounced against the claimant. That case was determined upon the single legal construction of ordinary words in a deed; it was quite independent of any question as to the Mar Peerage; only one noble and learned lord (Lord O'Hagan) referred at all to the Peerage; and he did not refer to it as really material, in any way, to the judgment. If the noble Earl (the Earl of Mar) thought that any point of fact or of law, not concluded by those judgments, was still left open to him, his proper course would be to go to the Courts of Scotland. Never since the days of the Long Parliament has such a proposal been heard of as that of the noble Earl. In those times there was no limit to the subjects on which there might be inquiry. Questions of this character, relating to titles of dignity and property, must be settled in the ordinary Courts of Law, and by the ordinary means. I had so strong a sense of the impropriety of the Notice of Motion which the noble Earl (Lord Galloway) put down in 1887, that I gave Notice I should move that the Question be not put; and it was, in fact, not put. The Motion was never made. Last year the noble Earl took a new step. He moved, in the face of the Act of 1885, to rescind and expunge the Order of the 26th February, 1875, which that Act of Parliament had recognized and confirmed. On that Motion by the noble Earl to rescind the Order of this House four noble Lords in the Peerage of Scotland, of whom the Earl of Mar was one, and eight English Peers went into the same Lobby with the noble Earl, and 39 voted against him. I hoped that, after those two attempts, nothing more would have been heard of this matter. But, unfortunately, it is not so. There is one thing which I am very sorry to be obliged to mention. The Earl of Mar and Kellie died on September 16, 1888. It appears that the claimant thought it right and not indecent to put into the hands of his solicitor a protest to be read at the funeral. I will not read it; but there was a letter written the next day by the noble Earl, the restored Peer, which I must also mention to your Lordships, in order that you may consider whether you will make yourselves parties to the sort of persecution which is directed against the present owner of the estates, and the present holder of the title of 1565. It began with an expression of regret—one can hardly be surprised at that: but it said that the writer would never rest, while his relative remained in possession of his title and estates:—a title and estates to which he has as good a right as any of your Lordships have to anything which you possess. I next come to the singular document, said to be signed by more than 100 Peers, to which the noble Earl (Lord Galloway) has referred, and which he wishes to lay upon the Table of this House. I ask whether it is entirely right of the noble Lord to go about canvassing for signatures to such a document, containing all the old cut-and-dried statements about this matter, and a good many others besides. To that document there seem to be appended some of the most honoured names in this House. I wonder whether all those noble Lords have informed themselves about the law and facts which are laid down in that document. It contains, among other things, a paragraph about the restored Earl's claim to the estates in the possession of the Earl of Mar and Kellie. When that document was taken round, and when noble Lords were canvassed to sign it, I wonder whether they were told that the question of the right to those estates had been solemnly determined by the Court of Session in Scotland and by this House. I cannot imagine that the noble Lords to whom this document was taken round went into all these particulars, or informed themselves upon the law and the facts of the case. My Lords, I have a great deal too much respect for those whose names have been obtained to that document to believe for a single moment that it was so. I do not know whether it was the noble Earl, or who

it was, who canvassed for those signatures.

*THE EARL OF MAR: My Lords, may I be allowed to interpose for one moment in explanation? The Peers who were canvassed to sign that document were informed that they were not pledged to the accuracy of the statements contained in it, but simply to the proposition that an inquiry and investigation into this matter was desirable.

THE EARL OF SELBORNE: It is a document to which I am sure those noble Lords would never for a moment have put their names to as desiring any inquiry if they had understood the matter. My Lords, I venture to think they did not understand it. I am quite sure that after the solemn decisions of this House many of the noble Lords who have signed that document would never have put their names to it had they been aware of its real character. I have received a letter from Lord de Ros, whose name is appended as one of the signatories, and who is unable to be now present, stating that the noble and gallant Lord signed under a complete misapprehension. He says:—

"Having been unexpectedly ordered to attend upon the Shah, I am unable to attend the House of Lords this evening to explain, that I signed Lord Galloway's paper under a totally false impression, and when I read the notice of his Motion and your Amendment, I wrote to inform him that under these circumstances I could not support his Motion. Pray make any use of this that you may think fit."

And, my Lords, I am told by Members of your Lordships' House whom I can believe that they have been informed by two or three other noble Lords whose names are appended to that paper that they are in the same situation; and, indeed, it must be so, for there are certainly names in that list of noble Lords who would lend themselves to no persecution and no injustice, and who certainly would not do anything in contravention of the decision of this House and the express terms of an Act of Parliament. I beg to move the Amendment which stands in my name.

Amendment moved, to leave out all the words after "That," and substitute the following words:—

"The right of the Earl of Mar and Kellie in the Peerage of Scotland to an Earldom of Mar created in 1565 having been established on claim duly made before the Committee of Privileges, and confirmed by Resolution of this House in 1875, and having been since recognized by the Act of Parliament passed in 1885 for the restitution of the more ancient Earldom of Mar, and the late Earl of Mar and Kellie having sat in this House by that title as one of the Representative Peers for Scotland, the right and title of his successor, now Earl of Mar and Kellie, to that Peerage is unimpeachable in law, and cannot be called in question in this House."—(*The Earl of Selborne.*)

*THE MARQUESS OF HUNTLY: My Lords, I should like to say a few words upon this subject. I refused to sign the paper referred to upon the very point to which the noble Earl (Selborne) objects. I did not see how the inquiry asked for could be beneficial to anybody, and I, therefore, declined to sign the document. I think I was the first Peer of this House who called attention to this matter, and one of the earliest supporters of the noble Earl of Mar. Though I have listened attentively to the long speech of the noble and learned Earl who has just sat down, it has not relieved me of the great difficulty which I feel as a Scotch Peer in this matter. The noble and learned Lord led up to the difficulty, but when he got there he retired from it. At the same time, I think he addressed himself to the question with rather too much animus and heat. Those who have interested themselves in this question have no personal feeling one way or the other. I have the acquaintance of the noble Lord Mar, and was also on terms of intimacy with the late Earl of Mar and Kellie. That shows I have no personal feeling in the matter. My difficulty is this:—In the Act of 1847 there is a very important clause that the Lord Clerk Register of Scotland cannot call any other Peerage except that which stands on the Roll of Scotland. He calls that Peerage, and it is expressly laid down that no other call can be made. My Lords, I admit that the Act gave full authority to the Committee of Privileges of this House over Scotch Peerages; and in pursuance of that Act, in 1875 the Committee of Privileges granted a Scotch Peerage dated 1565 to the late Lord Mar and Kellie, who voted at Holyrood and voted in this House as Earl Mar. But I think the noble Earl is wrong in saying that he voted under the 1565 Peerage; he voted supposing he was holding the ancient Peerage of Mar.

What occurs at the election at Holyrood is that upon the Roll being called over an appearance is made to the title as it stands on the Roll. There is no other Roll. Then the Earl of Mar instantly protested, and why? Because there is no such title of 1565. Therefore, there is a dead-lock to begin with. My Lords, to put it shortly, by your own Acts of Parliament you have got the Scotch Peerage into a difficulty. As the holder of an ancient Scotch Peerage I do object very seriously to the unseemly disturbances at elections at Holyrood about what Peerages noble Lords hold when Peers are called, and what position they hold in the Peerage of Scotland—whether there are to be two Peers called as holding one title, or who should vote under it, if it ever existed. My Lords, I do not agree with the Motion of my noble Friend, and, therefore, I do not vote for it; but it appears to me that the legal difficulty is one which those who are responsible for it should rectify, and I must say I do not think the speech of my noble and learned Friend has answered the difficulty felt by Scotch Peers. As I have said, my Lords, I shall not, however, vote for the Motion.

*THE EARL OF MAR: My Lords, the noble and learned Lord Selborne has raised a great many points, almost too many to be dealt with in the time during which I propose to occupy your Lordships' attention. But I must be allowed to answer a few of these points. Lord Selborne has stated that Queen Mary's Charter of Restoration did not mention the dignity of Mar. But, my Lords, at that period there were no charters relating to dignities apart from lands. There were then no Peerage Earldoms separate from the lands of the Earldom. This is proved by the Report to the House of Lords in 1739 on the subject by the Court of Session, and, further, in the Moray case, in 1793, the Lord Chancellor Loughborough incidentally quoted the position of Mar, and ruled that Queen Mary, in restoring the *comitatus* of Mar, restored the honours, for the *comitatus* embraced the dignity of Mar with the lands. Lord Selborne also made a point that the Earl restored by Queen Mary sat in Council for a month under his title of Erskine. His Lordship seems unaware that in these early days, before railways and telegraphs, it often took a long time before a Peer could adopt the necessary legal forms of "insestment," without which he could not enjoy the full rights of his Peerage. One month was a remarkably short time for this, and, even when sons succeeded fathers, the process of "insestment" often occupied a year or more. This was pointed out by the late Earl of Crawford and Balcarres, in one of his very learned treatises on the history and position of the Earldom of Mar. Lord Selborne has disparaged the importance of two documents which Lord Galloway has moved shall be investigated—namely, the Act of Restoration of the ancient Earldom of Mar, in 1824, through female succession, and the preliminary Report of Inquiry by the Law Officers for the Crown, showing that the restored Earl in 1824 was "his mother's heir," in both title and estates of Mar, in contradiction to the position assumed by Lord Kellie. Now, every lawyer has assured me that these are conclusive against Lord Kellie. But what happened in 1869, in Lord Kellie's claim to an Earldom of Mar? This Act of Restoration through female descent in 1824 was ignored by the Committee for Privileges, and they actually stated in their "Judgment" there was "no inquiry made," though it was duly presented in evidence, signed by the Law Officers for the Crown, English and Scotch. It has been said by Lord Selborne that, before 1885, I never enjoyed the privileges of a Peer, and yet, my Lords, for 10 years my vote as a Peer was accepted and recorded at Holyrood, and I was habitually received at Court for about 10 years as Earl of Mar. Lord Selborne has further stated that, regarding the matter now before your Lordships, "there was something relating to property." Now, my Lords, I did not intend to allude to this subject, but I must say that the result of the action of this House, for many years, in denying me my position as a Peer, has been to step in and put a bar between me and part of the estates of Mar, recovered after the attainder in 1715, which has prevented me from pleading in the Courts of Law, as a Peer, my right to the estates, which I maintain are entailed on my Peerage, on the "heirs male and female inheriting the Earldom of Mar, should it be restored," as it was restored in 1824 through female

descent. I venture to submit that the Motion of the noble and learned Earl, to the effect that the claim of Lord Kellie to an Earldom of Mar has been decided, and therefore ought not to be inquired into, is altogether beside the question, for it is obvious that had the decision not been given your Lordships would not be assembled here to-day to consider the matter. Were there no such decision, the Earl of Galloway and many other Peers could not now be calling it in question on grounds which they earnestly ask to have investigated, those grounds being that there is no second Earldom of Mar in the Peerage of Scotland. Surely all that has happened in this House and at Holyrood since that decision in 1875 must afford very substantial reasons for believing *primâ facie* that the statement is true that there is not, and never has been, any second Earldom of Mar. If that statement is true, the decision falls to the ground, for it is beyond the power of any tribunal to create a Scotch Peerage. This House has always been a House of justice and equity. To refuse to investigate the charge that a fictitious title of Mar has been set up for the benefit of the Earls of Kellie is not consistent with justice or with the maintenance of the dignity of this House. My Lords, it is with deep regret that I must trouble the House again with this question, forced on me by the cruel and absolutely unprecedented circumstances of the case; but, in justice to myself, I must state, that while your Lordships are victims of the "Mar Case," I am infinitely more so, considering the many years of wrong and anxieties during which my rights were unjustly withheld, and the many thousands I have had to pay merely to defend my position, merely to be left only where I was by inheritance on the death, in 1886, of my uncle, the late holder of the ancient and only Earldom of Mar in the Peerage of Scotland. My Lords, you will forgive my alluding to one of the many absurd reports lately circulated, and which would be amusing were it not that they are misleading, and they have induced at least one Peer to refuse to sign our paper. It has been erroneously stated that our object is to recover the old estates of Mar in Aberdeenshire, which were confiscated when my direct ancestor espoused the cause of the Stuarts in 1715. These estates, which were of great extent and value, were then sold by the Crown to various families—Lord Fife, the Farquharsons, Gordons, Forbes', and others. I need scarcely say the idea that I seek to recover these estates is simply so ridiculous that it bears its own refutation on the face of it. I owe a debt of gratitude to the many Peers who generously aided in this struggle by their Petition to the Queen in 1844, in which they maintained that I was already in possession of the ancient dignity in the same way as other Scotch Peers; and they petitioned that my rights and privileges as a Peer of Scotland, which were denied me for 10 years, should be no longer withheld, for it cannot be denied that for 10 years, under official sanction, Lord Kellie was allowed to vote in right of my Peerage, which I inherit through seven ladies, because he had been given by this House a non-existent Peerage, which was said to be limited to the heirs male of the Erskines. Now, my Lords, if a great number of the Members of this House had not supported me and aided in this struggle, to this day the officials of this House would be allowing Lord Kellie still to vote as if he held that ancient title. Now, the Resolution which is brought forward by the Earl of Galloway is not asking this House, by a vote of the House, to annul the decision of the Committee of Privileges in 1875 giving Lord Kellie that new creation of 1565, but we are asking to have this statement investigated—that there is no such Earldom in existence; that no such Earldom ever has been in existence as that supposed creation of 1565; that the Committee have found Lord Kellie entitled to a non-existent Peerage. Now, my Lords, this fact that the title of Mar with an alleged creation in 1565, and restricted to the heirs male of the Erskines, and conceded to Lord Kellie, is a peerage which is "non-existent," is, I may say, the sum and substance of the conclusions of the late learned Earl of Crawford and Balcarres, the greatest authority of this century on Scottish Peerage History and Law; and this fact he proved in his large and exhaustive work, in two volumes, "The Earldom of Mar in Sunshine and in Shade, during 300 years." We think that all the difficulties and all the indignities

that that decision has brought upon this House entitle us to ask that this statement should be thoroughly investigated; because, if that statement is unfounded, it is a most improper statement to make, and if it is well founded, what are the Peers asked by that Committee to do? To set up a pretended right for the advantage of the Earls of Kellie, and to cling to that fiction, and expect all the Scotch Peers to pretend that there are two Earldoms of Mar when they know there is only one. Now, my Lords, I must call your attention to certain observations by the noble and learned Earl (the Earl of Selborne), maintaining that it is impossible there could be two Earls of Mar, in direct contradiction to what he is now vigorously asserting. When the fruitless attempt was made in this House a few years ago (1877, July 9th) to remove my old Earldom from the Roll and replace it by Lord Kellie's new Mar title, and the attempt was abandoned. Lord Selborne stated he

"Could not conceive anything more destructive of the authority of the decisions in this House than to encourage the idea that there are two Earls of Mar." (*July 9th*, 1887.)

Now, my Lords, to-day we are opposed chiefly by the few Scotch Peers, who, from the beginning, opposed even the rectification of the injustice that Lord Kellie was to hold the Earldom of Mar limited to males, and vote in right of my Earldom that has been acknowledged to be traced through seven ladies. Those Peers, notably Lord Lothian, Lord Elphinstone, Lord Balfour of Burleigh, and the late Duke of Buccleuch, tried to prevent the protests made against Lord Kellie assuming a title the House had not given him being received; and if they could have stopped the protests, and could have carried out their endeavours, they would to this day have prevented justice being done to me, and allowed Lord Kellie to continue to vote under the old Earldom; and now they are active, together with the Earl of Selborne, in endeavouring to prevent your Lordships from granting that investigation which 112 Peers have signed a paper to say that the dignity of this House and the integrity of the Scotch Peerage demand should be made into the astounding assertion that this House is keeping up a pretence and a fiction for the benefit of the Earls of Kellie, to the detriment of the Earls of Mar in perpetuity. We do not ask you to upset the decision of the Committee of Privileges; but we ask you to investigate, and if that investigation proves the truth of what we state, what is there to upset? We say that there is no second Earldom of Mar, and not only that, but there was not one atom of evidence or one single ground of any description for saying that there was. Now, my Lords, with respect to the Report of the Committee for Privileges that Lord Kellie was entitled to an Earldom of Mar, what did the Earl of Mansfield say in 1877, July 9, in this House, a full House of 160 Peers, including all the learned Lords who formed that Committee, after studying carefully the Judgment in Lord Kellie's favour? Lord Mansfield said:—

"The decision was a most extraordinary one—that there was a Peerage of Mar of 1565 which nobody had heard of before, and which has no scrap or tittle of evidence of any kind to support it."

He added:—

"There is no document of any kind to prove that there ever was that creation in 1565."

Lord Mansfield continued:—

"The Committee for Privileges made a most erroneous report, supported by no facts whatever; but no doubt the noble Lords took great pains with the case, for it must be a difficult thing to do to write a Judgment with all the facts against them."

We cannot ask you to investigate the evidence which the Committee in 1875 said proved Lord Kellie's right to be Earl of Mar, for the very substantial reason that there is no evidence; but we ask you to investigate the truth of this statement. Those who have supported Lord Kellie's supposed rights with regard to an Earldom of Mar since 1875—notably, those noble Lords—Lothian, Lord Elphinstone, Lord Balfour of Burleigh, and the Duke of Buccleuch, with the Earl of Selborne, whose action I shall briefly recapitulate directly—should have the courage of their opinions, and be the first to promote investigation into such an attack on the decision of the Committee of Privileges. The Committee of Privileges is not a Law Court. Some time ago the Peers inquired into Peerage matters themselves as an assemblage; but they found it more convenient to delegate the inquiry into rights of Peerage to a Committee, and

that Committee is instructed to inquire into evidence and to report thereon, and it sits in private with closed doors; and therefore when that Committee of 1875 ventured to report to this House without an atom of evidence that Lord Kellie had made out his claim to an Earldom of Mar, in the teeth of the advice of the Law Officers of the Crown that Lord Kellie had failed to make out a right to be Earl of Mar, it committed a great indignity against this House, because it did not follow the instructions of this House. It was instructed to inquire into evidence and report thereon. It had no evidence on Lord Kellie's side to inquire into, yet it reported he had made out his right to a mythical Earldom of Mar. That extraordinary Report may have been owing to the unusual composition of that Committee, which consisted of the Chairman and two learned Lords, Lord Chelmsford and Lord Cairns. Lord Chelmsford was then at a very advanced age. Lord Cairns did not write a judgment, but he concurred in the judgment of Lord Chelmsford and the Chairman, who was not a Law Lord. It will not be contradicted in this House when I say that Lord Cairns, before he died, expressed an earnest wish that justice should be done, and he knew well that justice could not be done to me without it becoming evident that there was no second Earldom of Mar in the Peerage of Scotland, such as had been given to Lord Kellie. Therefore, this solemn judgment, which we are asked by the other side on no account to inquire into, rests virtually on the single legal opinion of Lord Chelmsford at a very advanced age. This Resolution that is moved by Lord Gallaway is not asking the House to take any measures to destroy the decision of the Committee of Privileges; but it is asking that investigation should be made into this statement, that there is no second Earldom of Mar in the Peerage of Scotland, and no ground for saying that there is such an Earldom. If that statement is true, it will not need upsetting, because there is nothing to upset. Now, my Lords, in order to bolster up that fiction, this House was asked to take very much more stringent and high-handed action than is sought for to-day. The late Duke of Buccleuch brought forward a Resolution in 1877 in which he invited this House to take the ancient Earldom which I inherited, and under which I now sit, off the Roll of Peers, where it was placed at the Union among the Authentic Peerages of Scotland, and to insert on the Roll the imaginary Peerage of 1565. My Lords, you were invited to do that without any inquiry; there was to be no inquiry or investigation as to how it was that Lord Kellie's title was not there and mine was; but the Peers assembled were to do this high-handed act of injustice to the Mars for the benefit of the Earls of Kellie without anything further. Now, my Lords, finding that the protests at Holyrood against Lord Kellie voting as Mar increased in number at each election, the noble and learned Lord Selborne, who has constituted himself for years past my opponent in this matter, has striven to bolster up this fictitious Peerage of Mar assumed by Lord Kellie. Your Lordships will kindly allow me to say a word or two about the so-called "Earldom of Mar Restitution Act" of 1885. An Act of Parliament cannot call into existence a myth. It was a declaratory Act, passed, as it states, to remove "doubts which may exist" as to the ancient Earldom (doubts which the Act itself proved to be groundless, if ever they existed), and to declare that I had inherited from my uncle in 1866 his ancient dignity of Mar, through seven ladies. Now, what do we find in this Act, passed ostensibly for the sole purpose of doing me justice? As Lord Kellie, with his new Mar title, no longer respond and vote as "Mar" on the Union Roll, because the ancient Earldom on the Roll was already mine, through female succession, we find this strange provision in the Act, by which, for the first time, an unknown and unrecorded Earldom of Mar is called lower down, with an assumed date, to suit Lord Kellie's convenience, and he is permitted thus to respond and vote as Earl of Mar without an Earldom of Mar. The provision in the Act of 1885 runs as follows:—

> "The Earldom of Mar, now vested in the Earl of Kellie, shall be called in the place and order properly belonging to an Earldom created in 1565, anything in the Decreet of Ranking of 1606 notwithstanding."

Now, my Lords what did Lord Selborne say (in 1877, July 9th) as to the Decreet of Ranking founded on C.R. U.R.? He said:—

"The authentic list of the Peerages of Scotland, the Union Roll, has a very high authority indeed; the title of Mar is one which stood on the Roll, as it stands now, in precedence given by the Decreet of Ranking."

Lord Selborne added—

"If we call the title of Mar in the place to which this House declared it entitled—namely, 1565, according to the date of that creation (conceded to Lord Kellie) the authority of your Lordship's decision would be impeached and impugned."

My Lords, that provision in the Act, introduced under Lord Selborne's auspices, that Lord Kellie should vote as if holding an Earldom of Mar of 1565, has, and does, impeach and impugn the decision of the Committee for Privileges; therefore I beseech your Lordships to inquire into the matter, and to ascertain whether we are right in asserting that there is not a second Earldom of Mar in the Peerage of Scotland. I must remind your Lordships that this House, in 1883, nearly succeeded, but not quite, in passing into law a Bill introduced by Lord Selborne, then Lord Chancellor, called the "Scotch Representative Peers' Bill," by which he proposed to abolish the time-honoured Roll of the Peerage of Scotland, the Union Roll to defy the Treaty of the Union, of which it formed a part, and to substitute for it a list of Scotch Peers, not Peerages, and to stop all protests at Holyrood. When this Bill was examined, it was found that it would adversely affect me, and me only. It sought to remove from the Roll the Earldom of Mar I had inherited, and at the same time to enable Lord Kellie to vote as Mar, without his holding any Peerage of Mar. The Bill passed this House; but on the matter becoming understood there was a strong feeling that the Bill was unjust as well as unconstitutional, and it went down to the other House (I may say) in disgrace, for no less than 81 Peers entered their formal protest against the Bill, terming it "an Act of individual injustice," and the Bill was abandoned. Perhaps the noble Earl, Earl Selborne, may not look back upon his Bill as a measure intended to maintain law and order, for certainly it did not conduce to the dignity of this House and the integrity of the Peerage. It has been suggested that because the late Lord Kellie sat as Earl of Mar in this House, that a writ could have some legal significance in making him Earl of Mar. Scotch Representative Peers have no writs; and not only that, but Lord Kellie did not sit in this House under an unanimous election as Earl of Mar, for several Peers refused to vote for him, or return him to this House as Earl of Mar, but as Earl of Kellie only. Now, my Lords, if the investigation upsets the decision of the Committee of Privileges, what more can I say, except that if there is no investigation and they succeed in stifling investigation, they are asking the hereditary Peers to use their hereditary vote to maintain a fiction for the benefit of the Earls of Kellie to the detriment of the Earls of Mar in perpetuity; but I will not say perpetuity, for never will that question rest until the truth is acknowledged. Would it not have been far better if the injustice which was done in the first instance of allowing Lord Kellie to vote in right of the title which this House had not given him had been removed in ten weeks instead of ten years? The dignity of this House would not then have been so persistently assailed. If your Lordships will at once sanction the investigation we seek, it will, we assure you, tend to save this House a great deal of odium and trouble in the future. My Lords, I earnestly ask you to vote for the investigation sought for by Lord Galloway; for it must be obvious to all that no legal tribunal in the world can find a man entitled to an Earldom that has never existed at any time, and which is not to be found among the Peerages of Scotland.

THE LORD CHANCELLOR: My Lords, I desire to occupy your Lordships' time by saying but a few words. I share with the noble and learned Earl the responsibility for the Act of Parliament under which the noble Earl who has just addressed you sits in your Lordships' House. I believe that Act of Parliament would never have been passed had it not been supposed that it was with the full assent and consent of the noble Earl, and that it would put an end to a question which was felt to be a very difficult one, and the determination of which was supposed to have inflicted some injustice on the noble Earl. But I am amazed to find that the noble Earl has made my noble and learned Friend the subject of something like invective. I can only say that throughout the whole of that

investigation the noble and learned Earl was actuated by a strong desire to do what he believed to be justice to the noble Earl, and to procure for him the title, without which he could not now have addressed your Lordships, or have had a seat in your Lordships' House. I do not know what the noble Earl really contemplates as the result of this Motion. It is easy to use such a phrase as "investigation," but what "investigation" does he refer to? Does the noble Earl mean something beside and outside the law? An investigation has taken place, and a determination has been arrived at apart from this Act of Parliament. Your Lordships, as a Court of Appeal, have to decide questions of this kind every day; indeed, we have decided three such questions this very day, and I have no doubt that the unsuccessful litigants are entirely of opinion that the noble and learned Lords who heard the cases were wrong. Is it to be considered one of the privileges of a Member of your Lordships' House, then, that those rights of the unsuccessful, apart from the rights of every other individual, are to be investigated over and over again as long as he and his friends consider that justice has not been done? There must be finality somewhere. I agree with the comment of a noble Lord as to the difficulty raised by the Act of Parliament; but why was the Act not opposed by the noble Earl's friends? There was the remedy. Repeal the Act of Parliament; let the noble Earl and his friends bring forward a Bill to repeal the Act of 1885. Then they would be doing what they have a right to do; but they cannot expect your Lordships' House to disobey the express declarations of the Act of Parliament, and to reprobate that which the Act of Parliament has both enacted and determined, that there may be both an Earldom of Mar and an Earldom of Mar and Kellie. That may be wrong, but that is the result of these Statutes, so passed, so declaring. As to entering now into all the questions which the noble Earl has referred to, why, it is impossible! If they wish to raise this question again they must bring in a Bill to repeal the Act of Parliament, and when that has been done there may be some ground for saying that it ought never to have been passed. As the case stands, however, as long as the Act of Parliament stands, your Lordships' House and the other House of Parliament has no power known to the Constitution to alter that which has been enacted by statute, and the attempt to do so by the idle repetition of complaints to which no practical effect can be given otherwise than by statute is futile.

*THE EARL OF GALLOWAY: My Lords, we are asked what is our object in bringing forward this Motion. I think we have made it sufficiently plain that investigation is needed in order to see by what right a provision of the Treaty of Union should be upset, and whether Parliament should not continue to accept the Roll of Scotch Peerages sent up to it as authentic in 1707. Parliament is not empowered to over-ride special provisions under that Treaty; and the question is, whether it is right for this House to make an exception in this particular case, and to allow somebody or other to interpolate another Peerage on that Roll. This is an entirely different question from that which has been suggested by the noble and learned Lords. You are interfering with the Roll, and I say you are not to decide whether this Peerage or that Peerage exists. What is put before the Committee of Privileges is this: here is a Peerage, to whom does it belong? But that was not the question which was put forward, because there was no such Peerage existing on the Roll. The Peerage Roll contains but one Mar Peerage, and the holder of the Mar Peerage is on the Roll accepted by this House, as inherited from his uncle in 1866. I ask your Lordships, therefore, not to refuse an investigation when the authenticity of the Roll is not denied, as accepted by this House under the Act of Union of 1707. My Lords, I will no longer detain you, but take the sense of the House at once upon the question.

On question that the words proposed to be left out stand part of the Motion,

The House divided:—Contents 25; Not-contents 74.

Resolved in the negative.

Resolution, as amended, agreed to.

FACTORS BILL (No. 27.)

House in Committee, on Re-commitment (according to order): Bill reported

without amendment, and to be read 3ª to-morrow.

CONSOLIDATED FUND (No. 3) BILL.

House in Committee (according to order); Bill reported without amendment; and to be read 3ª to-morrow.

PUBLIC TRUSTEE BILL.

A Bill for the appointment of a public trustee—was presented by the Lord Chancellor; read 1ª; and to be printed. (No. 127.)

COMMITTEE OF SELECTION FOR STANDING COMMITTEES.

Report from, That the Committee have added the Viscount Gordon (Earl of Aberdeen) to the Standing Committee for Bills relating to Law, &c. for the consideration of the Industrial Schools Bill [H.L.]. Read, and ordered to lie on the Table.

House adjourned at Seven o'clock, till To-morrow, at a quarter past Four o'clock.

HOUSE OF COMMONS,

Monday, 1st July, 1889.

QUESTIONS.

THE SCOTCH LOBSTER FISHERY.

MR. FRASER-MACINTOSH (Invernessshire): I beg to ask the Lord Advocate whether complaints have reached him that Sir John William Powlett Campbell Orde, Baronet, the late proprietor of North Uist, has recently adopted steps tending to the virtual impossibility of the lobster fishery being pursued by the fishermen, whose means of livelihood are endangered thereby; and, whether, if full details are furnished, he will order inquiries to be made into the complaints of the fishermen with a view to their relief?

*THE LORD ADVOCATE (Mr. J. P. B. ROBERTSON, Bute): I must ask the hon. Member to furnish me with more specific details on this matter. On receiving them I shall order inquiry to be made.

EVICTIONS IN NORTH UIST.

MR. FRASER-MACKINTOSH: I beg to ask the Lord Advocate whether there has been a correspondence between Sir John William Powlett Campbell Orde, Baronet, proprietor of the large and important island of North Uist, and the Heads of the Criminal Authorities in Scotland, regarding Mr. Thomas Wilson, solicitor in Lochmaddy; whether the correspondence referred to the refusal of Mr. Wilson to act as law agent for Sir John Orde, in carrying out certain evictions which Mr. Wilson deemed to be unjust; and if he will be good enough to state the import of the correspondence, or lay a copy upon the Table?

MR. J. P. B. ROBERTSON: I can find no trace of any such correspondence as is alluded to. I think it right to add that assuming such a correspondence had taken place, it would entirely depend on the subject matter, whether I should be able either to state the import or lay a copy of it on the Table.

FAIR RENTS.

MR. JOHN ELLIS (Nottinghamshire, Rushcliffe): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether the 27,311 applications for fair rent under the Land Law (Ireland) Acts, 1881 and 1887, dismissed or struck out by the Land Commission Courts up to 30th April, 1889, were so struck out in consequence of the holdings in respect of which they were made being outside the provisions of the Land Acts in question, or what were the reasons?

THE CHIEF SECRETARY FOR IRELAND (Mr. A. J. BALFOUR, Manchester, E.): The Land Commissioners state that applications for fair rent under the Land Law (Ireland) Acts, 1881 and 1887, are dismissed where the Courts decide that the holding in respect of which the application has been made is one to which the Acts do not apply. They are struck out of the lists for hearing where the parties do not attend at the hearing and proceed with the application. In the latter case it is impossible to state the grounds why the parties did not proceed, or whether the holdings were within or without the Acts.

CHINESE EMIGRATION TO AUSTRALIA.

MR. WILLIAM REDMOND (Fermanagh, N.): I beg to ask the Under Secretary of State for the Colonies whether the negotiations with the Government of China, on the question of Chinese emigration to Australia, have been completed; and, if not, whether Her Majesty's Government will push the matter on as quickly as possible?

THE UNDER SECRETARY OF STATE FOR THE COLONIES (Baron H. de WORMS, Liverpool, E. Toxteth): My right hon. Friend the Under Secretary of State for Foreign Affairs will answer the question.

*THE UNDER SECRETARY OF STATE FOR FOREIGN AFFAIRS (Sir J. FERGUSSON, Manchester, N.E.): The negotiations are not yet completed. As soon as the necessary arrangements are brought to a conclusion with the Australian Governments, Her Majesty's Government, who are most desirous of bringing matters to a happy issue, will push on the negotiations.

IRELAND—WATCHING BY THE POLICE.

MR. WILLIAM REDMOND: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland, by whose orders Mr. Myles Smith, of Glascarrig, county Wexford, and a number of other people, were followed and watched by the police in Gorey, on the 22nd of this month, as reported in the papers; whether it is true that several policemen followed a man, named Patrick Greene, to the offices of Mr. Scott, solicitor, Gorey, and demanded to be admitted while Greene was in Mr. Scott's office; whether it is true that, when Mr. Scott asked for an explanation of this conduct, that the police informed him that they were acting under orders in following Greene, even into his solicitor's house; whether there is any charge against Greene, and the other men, who were followed by the police in Gorey; by what right the police entered Mr. Scott's office contrary to his desire; whether he is aware that Mr. Scott has lost clients in consequence of the police entering his house while people were there to see him on professional business; and, whether the Irish Government will take some steps to prevent the police from entering private houses in Ireland without authority?

MR. A. J. BALFOUR: The police authorities reported that Myles Smith, Patrick Greene, and several others, banded together under the name of vigilance men, have engaged in boycotting and intimidating certain tenants who had taken evicted farms. The police were watching their movements, with a view to proceedings against them. It was not the case that several policemen followed them into the house, but two policemen did so. They, however, waited in the hall at the request of Mr. Scott. Later on Greene and another person visited the office, and Mr. Scott requested the police not to enter, a request with which they complied. The information which has been supplied to me does not sustain the allegation that Mr. Scott had lost clients thereby.

MR. SEXTON (Belfast, W.): Have the police endeavoured arbitrarily to intrude into Mr. Scott's offices while that gentleman was engaged with the tenants, his clients? Will the right hon. Gentleman say that the police had a right to force their way into his offices?

MR. A. J. BALFOUR: I am not prepared to say that the police did force their way into Mr. Scott's office.

MR. SEXTON: At any rate they went into his house.

MR. W. REDMOND: May I ask why, if it is true that Mr. Scott and other persons banded themselves together for an illegal purpose, they have not been proceeded against in the ordinary course?

*MR. SPEAKER: That is a question requiring Notice.

MR. W. REDMOND: Then I beg to give Notice that I will repeat it.

WAR OFFICE CONTRACTS.

MR. HOWARD VINCENT (Sheffield, Central): I beg to ask the Secretary of State for War, if he is satisfied that the Director of Contracts could not have placed within the United Kingdom, with due regard to the public service, the War Office contracts concluded with foreigners during the past financial year, for £6,617 for butts and fore ends, for £3,250 for cloth and silk, for £3,688 for electric light and telephone apparatus, and for £18,078 for armour-piercing projectiles; and, particularly, if for

the latter implements of war, for which Sheffield has a speciality, tenders were invited from that town.

*THE SECRETARY OF STATE FOR WAR (Mr. E. STANHOPE, Lincolnshire, Horncastle): These contracts could not have been placed within the United Kingdom. For the butts and fore-ends Italian walnut is required, and the English firms to whom the orders were given had to import the wood. Silk cloth is an article of foreign manufacture, but we are trying to encourage English firms to make it. As regards the electric light and telephonic apparatus, certain articles of foreign manufacture (such as Ader's telephones, &c.) were required, and they were bought where they are made. The order for armour-piercing projectiles was put up to competition in Sheffield, and firms in that town secured orders to the value of £33,650, the foreign orders amounting to £18,078.

ADMIRALTY CONTRACTS.

MR. HOWARD VINCENT: I beg to ask the First Lord of the Admiralty, why contracts for the supply of preserved table butter to the value of £891, and for £22,221 for salt pork, were concluded, on 6th July and 8th October respectively, with persons outside the United Kingdom; and, if he can inform the House the amount of the financial saving effected by placing abroad, instead of at home, the supply for Her Majesty's Navy of these two articles of British and Irish production?

*THE FIRST LORD OF THE ADMIRALTY (Lord G. HAMILTON, Middlesex, Ealing): With reference to the particular supply of butter mentioned, samples were obtained from the leading Irish and foreign packers, which were submitted to analysis and the opinion of a Board of officers, quality being the prime consideration. The sample recommended was the best in quality. Danish pork was accepted in preference to Irish on the ground of economy. The quality was much about the same, but the difference in price was about 10 per cent.

ENCOURAGEMENT OF NATIONAL INDUSTRIES.

MR. HOWARD VINCENT: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland if his attention has been called to the ordering, by the Commissioners of National Education in Ireland, on the 12th February, 1889, from Abroad, of slate pencils to the value of £237 10s., the raw material for which was probably of British origin, and had been taxed upon entering the foreign country of manufacture; and, if he can represent to the Commissioners that the encouragement of national industries, whenever possible, is an essential part of national education?

* MR. A. J. BALFOUR: The Commissioners of National Education state that the supply of slate pencils in February last was ordered from Göbel, of Coburg, because his tender was the lowest of several tenders which had been received, and also because on five previous occasions he had, in carrying out his contract, given entire satisfaction. Millions of pencils are annually required by the pupils of the national schools, and it is therefore a matter of much importance to enable them to get them cheap as well as good. The Commissioners have reason to believe that when they purchased pencils from a home firm, invariably at higher prices than those now supplied by Göbel, of Coburg, the pencils were all the while German.

LOCAL TAXATION LICENSES.

SIR GEORGE BADEN-POWELL (Liverpool, Kirkdale): I beg to ask the Secretary to the Treasury, what proportion of local taxation licenses in the Metropolis is now collected by post offices; whether the whole of these licenses were formerly collected by the Inland offices; and what has been the reduction in the staff of the Inland offices in consequence of this transference of part of their duties to the post offices?

THE SECRETARY TO THE TREASURY (Mr. JACKSON, Leeds, N.): The total local taxation licenses for the Metropolis amount to about £420,000 in the year. About one-fifth of these in amount were taken out at post offices in the past year. No change whatever in the issue of these licenses has been made on their being surrendered to local taxation.

IRELAND—THE SPECIAL COMMISSION.

MR. J. F. X. O'BRIEN: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether Patrick Lavan, late of Ballyhaunis, who, it is

alleged, was offered, by Police Sergeant Mullen, of Ballyhaunis, a bribe, to induce him to give evidence on behalf of the *Times*, at the Special Commission, ever gave any secretary information to the police with reference to agrarian crime or political offences?

MR. A. J. BALFOUR: As I have already stated in reply to questions put in this House on the 25th and 28th of March last by the hon. Member who now repeats the inquiry, it was not in the interest of the *Times* that Sergeant Mullen communicated with Lavan. I cannot undertake to discuss the secret information received by the police from this man or any other source; a proceeding calculated to frustrate the ends of justice. But it is manifest that it could not have related to political offences, none such having been committed.

MR. J. F. X. O'BRIEN: Did not Sergeant Mullen in a letter to Lavan express a hope that he would not be so foolish as to refuse the offer which had been made to him?

MR. A. J. BALFOUR: I am unable to say.

THE BALTINGLASS UNION.

MR. BYRNE: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether his attention has been called to a Report of the proceedings of the Baltinglass Union, at their meeting, held on the 15th June instant, for the purpose of accepting tenders for supplies, and other business, when a tender which was not the lowest was accepted; and, whether he will cause the Local Government Board to inquire into this misapplication of the ratepayers' money, and have the lowest tender accepted?

MR. A. J. BALFOUR: The Clerk of Baltinglass Union reports that the contract for the supply of beef to the workhouse was given to a person whose tender was one farthing in the pound higher than the amount in the lowest tender, while the price for mutton in both tenders was the same, and that the consumption of mutton is greater than beef. The Guardians, in their advertisement inviting tenders, distinctly declined to bind themselves to accept the lowest or any of the tenders, and they considered that under the circumstances of the case they were justified in accepting the particular tender above referred to. The Local Government Board see no cause for their interference.

EXTRA POLICE IN WATERFORD.

MR. P. J. POWER (Waterford, E.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland, how many extra police are stationed in the County Waterford, and at what cost to the ratepayers; what is the number of police allotted to the County Waterford by the Police Regulations, and has the full number allowed by such regulations been employed in the county before a tax for extra police was imposed upon the ratepayers; is it the case that in English counties there is on an average only one policeman to every 1,250 people, and whether in Irish counties, with less ordinary crime, we have one policeman to every 330 people; with the view of ascertaining why the County Waterford has been, and is, charged with extra police, will he have the attention of the Constabulary Authorities drawn to a charge delivered by Judge Waters on 3rd January, 1888, in addressing the Quarter Sessions Grand Jury, in which he used the following language:—

"The amount of crime from the county and city investigated in this court during the year 1887 has been, I may say, insignificant. You know, I presume, that I am County Court Judge of two other counties, Cavan and Leitrim. These three counties represent a large area, inhabited by 332,616 people, and may be considered representative of the whole country. I have procured the last published statistics of the United Kingdom, and they show the number of committals in England and Wales were 13,856, which gives the rate of one committal to 1,911 people. The population of my three counties is 332,616, so that to make crime in these three counties equal to crime in England the number of committals should be 174, whereas they amount only to 114 (including Quarter Sessions and Assizes), so that our crime is only 63 per cent of the crime of England. In Scotland the committals were 2,535, which gives the proportion of one committal to every 1,473 people. In order that the proportion of our crime should equal that of Scotland the number of committals here should be 225, but they are only 114. I find the rate of convictions in England and Scotland nearly the same, 77 per cent of the committals, and, strange to say, the rate of convictions in Waterford is almost identical, differing only by an inconsiderable decimal. In Leitrim the rate of convictions is 82 per cent of the committals."

Whether it is a fact that, at the period referred to in Judge Waters' address,

which was before the passing of the Coercion Act of 1887, the ratepayers were called upon to pay for extra police; and, what now justifies the employment of extra police in the County Waterford?

MR. A. J. BALFOUR: I must ask the hon. Gentleman to defer the question, as I am unable at present to answer it.

RAILWAY RATES.

MR. BARCLAY (Forfarshire): I beg to ask the President of the Board of Trade, whether the Railway Companies have yet complied with the rules made by the Board of Trade, requiring them to submit rates per truck and per train per mile; and, if not, whether the Board of Trade will insist on such rates being submitted by the Railway Companies?

*THE PRESIDENT OF THE BOARD OF TRADE (Sir M. HICKS BEACH, Bristol, W.): No change has been made by the railway companies in the schedules submitted by them in February last. The proposals made by the railway companies as regards the particular points mentioned by the hon. Member are not satisfactory. I shall be unable to agree with the companies as to the schedules submitted unless they are altered in the direction referred to in the question. The changes, however, which it is desirable to make in them, must be dealt with as a whole.

MOONLIGHTING.

MR. MACARTNEY (Antrim, S.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he is aware that a party of moonlighters visited the houses of Cornelius Keily and Robert Sullivan, farmers, living near Killarney, on the 21st instant, and fired shots, and warned Keily to take his son out of the employment of John Teahan, and Sullivan to take his daughter from the service of Timothy Brosnan; whether any motive has been assigned for their attacks; and, whether adequate protection is being afforded to those men?

MR. A. J. BALFOUR: The Constabulary Authorities report that it is the case that a party of six men, one of them armed with a revolver, one with a gun, and all disguised, entered the houses of the farmers named, and ordered them to take their son and daughter respectively from their employment with the other farmers mentioned. A shot was fired in Sullivan's house to enforce the order. The motive assigned to these outrages is the fact that Teahan and Brosnan paid their rents, and did not join the Plan of Campaign on the Kenmare estate. Sullivan has withdrawn his daughter from her employment. Keily is receiving police protection.

BOYCOTTING.

MR. STOREY: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether, after perusing the verbatim shorthand notes of the case which has been furnished him, he impugns their accuracy in any substantial point, and if so will he state in which; and whether, in the face of this evidence, he is now prepared to state that any charge was either made or proved against James Doyle, save only that he put in his window the placard "No bum-bailiffs or emergency men shod here," or that Mr. Doyle refused to desist from the course he was pursuing?

MR. A. J. BALFOUR: I do not impugn the accuracy of the notes referred to in any material point. These notes fully support the statement which I made to the House in reply to a former question of the hon. Member, inasmuch as it appears that it was proved on oath at Doyle's trial that the motives in question were intended and calculated to keep alive the bad feeling which had resulted in the boycotting of certain persons who were caretakers on an evicted farm situated within 200 yards of Doyle's shop, and were calculated to disturb the peace of the locality. It further appears that this was not denied by Doyle, and that when asked by the Magistrate to give an undertaking to desist from the course which he was pursuing, he refused to do so, and it was only on such refusal that the Magistrates ordered him to find sureties for good behaviour.

MR. STOREY: Unfortunately this is a matter which involves too large a controversy to be dealt with in a mere question, but I should like to ask whether the right hon. Gentleman means to assert that against Doyle there has been alleged and proved on evidence other acts beside the act of putting up this notice?

MR. A. J. BALFOUR: I am not aware whether there was any other act or not.

MR. STOREY: It is impossible for me to discuss the matter now, but I will put another question to the right hon. Gentleman to-morrow.

THE POLICE AND THE SALVATION ARMY.

MR. CUNINGHAME GRAHAM (Lanarkshire, N.W.): I beg to ask the Secretary of State for the Home Department if, in the recent collision between the police and the Salvationists, any of the former were injured or assaulted in any way?

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. MATTHEWS, Birmingham, E.): The only police officer assaulted was Chief Inspector Wills, who was either pushed or knocked down.

MR. J. STUART (Shoreditch, Hoxton): May I ask whether any evidence has reached the right hon. Gentleman of any serious obstruction to traffic in the City owing to the procession of members of the Salvation Army on Wednesday last?

MR. MATTHEWS: I am informed by the Commissioner of the City Police that the passage of the procession in question through Cheapside and Fleet Street was a serious obstruction to the general traffic, and that the growing practice of organizing similar processions, frequently accompanied by bands, is the cause not only of much public inconvenience, but also of danger to individuals in these crowded thoroughfares.

MR. JOHNSTON (Belfast, S.): Is the right hon. Gentleman aware that yesterday when the congregation had assembled in Westminster Abbey a procession passed with a banner inscribed "Remember Mitchelstown"?

The question was not answered.

MR. J. ROWLANDS (Finsbury, E.): Can the right hon. Gentleman state to the House on what previous occasions during the past ten years a peaceful procession passing along the Strand has been stopped by the police?

MR. MATTHEWS: I am informed by the Commissioner of Police that so far as he can ascertain there have been three occasions in the last ten years when processions have been stopped from using the Strand route; but that he is unable without further inquiry to describe the occasions more particularly.

MR. J. STUART: Is it the case that, while the City Police indicated the route most suitable for the procession of the members of the Salvation Army on Wednesday last, they facilitated the progress of the procession along that route, whereas the Commissioner of Metropolitan Police, while indicating that the procession should proseed along the Embankment, forbade its continuing, under any circumstances, to Exeter Hall; was it the case that several alternative routes were proposed to the Chief Commissioner by the leaders of the Salvation Army, and that he equally forbade by any route the continuance of the procession to Exeter Hall; and was there any serious obstruction obstruction to the traffic until the procession was broken up?

MR. MATTHEWS: The City Police prohibited the route proposed by the members of the Salvation Army on the ground of obstruction to traffic, and prescribed a different route, which was adopted by the processionists, who consequently were not interfered with. The Commissioner of Metropolitan Police directed the processionists to proceed to Exeter Hall by the Embankment and Savoy Street, and there break up to cross the Strand. It is obvious that if a thousand persons crossed the Strand in procession the traffic from both sides must have been stopped for a considerable time, and much inconvenience must have resulted. I am informed that it is not correct that several alternative routes were proposed to the Commissioner by the leaders of the Salvation Army. It was suggested by them at the last moment that they might be allowed to go *viâ* Holborn; but the objection of obstruction to traffic applied to Holborn as strongly as to the Strand. There was considerable obstruction to the traffic before the procession broke up.

MOUNTAIN GRAZING IN IRELAND.

MR. J. F. X. O'BRIEN: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he is aware that John O'Donnell, James Corrigan, and Edward Encela, of Achill, were served with Civil Bills for mountain grazing by C. B. O. Sweeny, who is also

Major Richard Pike's bailiff; that Civil Bills were served after time (on 4th instead of 3rd instant, the last day), so as to prevent entry by defendants of processes; that defendants travelled 40 miles on, and same back, to Quarter Sessions at Westport, on 10th instant, in hopes to explain their case to County Court Judge Richards, and request an adjournment until Civil Bills would be served in proper time, and an opportunity of entry for defence afforded them; that, on walking up before the Judge and endeavouring to explain their case, the officer of the Court and a policeman ordered them away, and the solicitor employed on their behalf declined to address the Judge for them, stating it was a rule of Court that, as the Civil Bills were not entered, he (the solicitor) had no *locus standi* on their behalf; and, whether the Government intend to take any action?

MR. A. J. BALFOUR: I understand that the Civil Bill processes were served on 3rd June by the Civil Bill officer referred to, who is also bailiff on Major Pike's estate. This gave the defendants time to defend, as the Quarter Sessions did not open until the 10th. The County Court Judge, after hearing evidence as to service of the processes, and being satisfied thereon, gave decrees against the defendants on 12th June. One of the defendants (O'Donnell) appeared in Court and was heard by the Judge, who saw no reason to alter his decision in the cases. The officer of the Court did not interfere with O'Donnell during the hearing of his case. When the next case was called he asked O'Donnell to stand aside, his case having been disposed of. No policeman interfered with him. The defendants' solicitor said in Court that he could not be heard as the defence in the cases was late for entry. Two of the defendants travelled about 30 miles to Westport Sessions, but did not return, as they went on to England. The third defendant did not attend at all. There does not appear to be anything in the matter calling for action on the part of the Government.

TRAFALGAR SQUARE.

MR. HOWELL (Bethnal Green, N.E.): I beg to ask the Secretary of State for the Home Department whether he will lay upon the Table of the House a copy of the Regulations issued by the Commissioner of Police, in November, 1887, with respect to Trafalgar Square?

MR. MATTHEWS: The Commissioner of Police issued Regulations on the 12th and 18th of November, 1887, with respect to Trafalgar Square, which were published in the press and extensively placarded, and thus became generally known. If the hon. Member thinks that under those circumstances any useful purpose can be served by laying them on the Table of the House, he can move for them as an unopposed Return.

THE ROYAL INNISKILLING FUSILIERS.

MR. JOHNSTON (Belfast, S.): I beg to ask the Secretary of State for War if it is a fact that, in consequence of a Roman Catholic priest refusing to take part in the ceremony of the Presentation of colours to the 5th Battalion, Royal Inniskilling Fusiliers, that ceremony was ordered by the War Office to be deferred; whether the Protestant rector of the parish was perfectly willing to join in the ceremony on the 25th June, at Lifford; and if he will state the name of the priest who refused, and his reasons for so doing; and why the ceremony was ordered not to take place?

MR. E. STANHOPE: The circumstances of the case are as stated by my honourable Friend. The Rev. Father O'Hagan is the name of the priest who refused to take part in the ceremony, on purely religious grounds. Notice of this refusal only reached the War Office the day before that fixed for the ceremony, and as there was not time to send a Roman Catholic chaplain to the Forces to Lifford to take part in the presentation of colours, it was postponed till next year.

WATER SUPPLY.

MR. BROADHURST (Nottingham): I beg to ask the Secretary of State for the Home Department when the Return relating to water supply in various provincial towns, moved for by the junior Member for Dundee last Session, will be laid upon the Table?

MR. MATTHEWS: I hope it will be possible to lay the Return on the Table in the course of a week or ten days.

SHIPPING OF PAUPER LADS AS SEAMEN.

MR. BROADHURST: I beg to ask the President of the Board of Trade

whether he is now in a position to make a statement as to the alleged shipping of pauper lads as seamen from the Liverpool Workhouse?

*SIR MICHAEL HICKS BEACH: The question of the hon. Member arose out of the alleged shipment of these lads on the steamship *Adriatic*. The whole crew of the *Adriatic* were inspected and passed by two experienced officers of the Emigration Department—one a sailor and the other a surgeon. Captain Shoosmith, one of these officers, reports as follows:—

"With respect to the clearance of the steamship *Adriatic*, referred to in annexed minute, I beg to report that, in regard to the efficiency of the crew, I had no hesitation whatever in passing them as quite satisfactory. Every man passed myself and Dr. Spooner on his name being called from the ship's articles, and then proceeded to the boat to which he was stationed, each boat having a crew composed of seamen, firemen, and stewards. I had all the boats lifted from the chocks, and four of them swung out and lowered, each by its own crew, which was done in a very creditable manner, both as to time and ability. The chief engineer expressed himself quite satisfied as to the capability of his firemen and trimmers, and I am not aware that any paupers were among them, though for the work of the latter I presume that skilled labour is not required, and whatever a man may be, if he is good in health, and up to the average of physical strength, I am of opinion that he is equal to the task of shovelling and wheeling about coals. If from any cause I am not satisfied with the efficiency of the crew of a passenger steamer I should certainly refuse clearance."

The other officer, Dr. Spooner, reports as follows:—

"I beg to report that I examined the crew of the *Adriatic* and found their general health good. I had no occasion to reject any of them on the score of sickness or any other cause within my province."

BOROUGH POLICE.

MR. RANKIN (Herefordshire, Leominster): I beg to ask the Secretary of State for the Home Department whether, under the Local Government Act for England and Wales, Section 24 (i), County Councils are bound to repay to boroughs, having a separate police force, the half of the cost of the pay and clothing of such force as may have accrued from the 30th September, 1888, to the 31st March, 1889?

MR. MATTHEWS: The answer is in the affirmative. I would refer my hon. Friend to the answers which I gave on this subject to my hon. Friends the Members for the Nuneaton Division of Warwickshire (Mr. Dugdale) and the Ramsey Division of Huntingdonshire (Mr. Fellowes), on the 2nd and 4th of April last.

THE JAMAICA GOVERNMENT RAILWAY.

CAPTAIN PRICE (Devonport): I beg to ask the Under Secretary of State for the Colonies whether, in the agreement for the sale of the Jamaica Government Railway, a clause has been inserted, making it clearly an advantage to the company that failure should result after completion of the line, inasmuch as in that event the Government would have to give the bondholders 3½ per cent Government stock, in lieu of bonds issued probably at 90, and earning a possible interest of 4 per cent, contingent on the profits of the railway?

BARON H. DE WORMS: The event in which the Colonial Government would have to give the bondholders Government stock in lieu of their mortgage bonds is the winding up of the company and the forfeiture of their property to the Government. Such an event would not be advantageous to the company, however it might affect the interests of the bondholders. It is calculated that the completed line would be fully worth to the island the amount of Government stock which would have to be assigned to holders of the company's bonds, in the event of the company being wound up.

CAPTAIN PRICE: Will the interest on the 3½ per cent be payable out of the general revenue of Jamaica, or will it be contingent only on the profits of the railway?

BARON H. DE WORMS: I must ask for notice of the question.

THE EDUCATION CODE.

SIR JOHN COLOMB (Tower Hamlets Bow): I beg to ask the Vice President of the Committee of Council on Education whether, in the general directions to the Inspector in Article 100 (a) of the Code, the word "age" is to be construed as intending in any way to hamper or restrict the classification according to capacity enjoined in the 6th sub-section of the same part of the Article?

THE VICE PRESIDENT OF THE COMMITTEE OF COUNCIL (Sir W.

HART DYKE, Kent, Dartford): No, Sir; the new Code gives complete freedom of classification, but it would be unwise altogether to ignore the general relation which is commonly recognized between age and capacity, and the retention of the word will also serve as a security against children of exceptional mental quickness being unduly pressed forward while of tender years and delicate physical organization. Inspectors must have in their minds the various items which should be taken into consideration in order to ascertain the capacity of a scholar, and one of such items must necessarily be age.

IRELAND—CANON KELLER.

DR. KENNY (Cork, S.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland if he can state whether Canon Keller was acting within his legal rights in refusing to leave the grounds of Gurtroe Chapel, County Cork, on the 18th ultimo when ordered to do so by the police, the said grounds being his private property; whether, on his refusal to leave, the police acted legally in removing him by force; and if he can further state whether, in Ireland, it is lawful for the police to enter, without a warrant, or without swearing the proper information, on private premises, and remove therefrom the legal owners, when no illegal act is being at the time committed by the said owners on such premises?

MR. A. J. BALFOUR: The Divisional Commissioner reports that Canon Keller was neither ordered to leave the chapel grounds nor was he removed from the grounds. The other points in the question, therefore, do not arise.

ENLISTING UNDER FALSE PRETENCES.

MR. PICKERSGILL (Bethnal Green, S.W.): I beg to ask the Secretary of State for the Home Department whether his attention has been called to the case of Martin Murray, who, on Thursday last was convicted at the Marlborough Street Police Court of making a false statement when about to be enlisted into the Army, and was sentenced by Mr. De Rutzen to three months' imprisonment; whether this was the maximum punishment which the Magistrate could impose for the offence charged; and whether there are any mitigating circumstances in this case; and, if so, whether he will advise that a portion of the sentence should be remitted?

MR. MATTHEWS: I am informed by the learned Magistrate that there are no mitigating circumstances in this case. Martin Murray made two false statements in attempting to gain admission to the Army, by denying that he was a married man and that he was in the Militia; and he was practically guilty of running away from and deserting his wife and child, which is of itself an offence under the Vagrants Act. I see no ground for remitting any part of the sentence.

MR. PICKERSGILL: Has the right hon. Gentleman inquired into the truth of the man's statement that he had been for a long time out of work and was tempted to act as he did in order to provide food for his family?

MR. MATTHEWS: I have been informed that that statement was not true, and that he was guilty of making a false statement without the slightest justification.

PORTUGAL AND THE DELAGOA RAILWAY.

SIR JOHN COLOMB: I beg to ask the Under Secretary of State for Foreign Affairs, whether, notwithstanding the representations of Her Majesty's Government, the Portuguese Government have cancelled the Delagoa Bay Railway concession; and, if so, whether Her Majesty's Government propose to take any immediate and decisive action in order to secure the due protection of British commercial interests in that part of the world.

MR. BRYCE (Aberdeen, S.): May I ask if the Under Secretary can give the latest information to hand as to what has recently taken place at Delagoa Bay, seeing how much the accounts appearing in the newspapers differ?

*SIR J. FERGUSSON: It is true that, notwithstanding the representations of Her Majesty's Government, the concession has been cancelled. The Portuguese Government have been told that they will be held responsible for any losses sustained in consequence of this action, by British subjects who invested their money in the railway on the faith of the concession. The legal questions raised by the most recent action of the Portuguese Government are under con-

sideration. As to giving the latest information, I may say that the railway has been seized by the Portuguese authorities, and there was considerable alarm and apprehension created amongst the British residents, but her Majesty's Government have taken the proper steps for the safety of these residents in any eventuality. It is hoped, however, that there will be no such question raised.

MR. ISAACS (Newington, Walworth): May I ask if the Under Secretary will say whether the Government is acting in concert with the United States Government in the matter?

*SIR J. FERGUSSON: I think that this is a matter upon which I must ask for specific Notice of any further question.

SIR G. CAMPBELL (Kirkcaldy): I wish to know if the danger at Delagoa Bay is caused by armed resistance on the part of the British residents and the railway officials to the Portuguese Government; and whether the Government have in consequence sent a vessel of war in order to coerce the Portuguese.

*SIR J. FERGUSSON: I am not prepared to say to what the alarm is to be attributed.

DR. CLARK (Caithness): I wish to ask whether any representations have been made to the Portuguese Government by Her Majesty's Government regarding this matter; whether Her Majesty's Government have seen the decree which the King of Portugal has published in the *Official Gazette* of the Portuguese Kingdom; whether the conditions of that decree were objected to in any shape or form by Her Majesty's Government; and whether the Government have reason to believe that the company having received a concession to construct the railway, and having year after year got extentions of time to carry it out, the Portuguese Government were cancelling the concession because the conditions had not been carried out; that they were instructing their engineer to take possession——

*MR. SPEAKER: Order, order! A question of this kind, and especially on so important a subject, ought not to be put without Notice.

IRISH FISHERIES — THE RIVER SHANNON.

MR. SMITH BARRY (Huntingdonshire, S.): I beg to ask the Secretary to the Treasury whether his attention has been called to the report of a recent meeting of the Limerick Board of Conservators, when that Board instructed their Solicitor to take steps to obtain an injunction to restrain the Board of Works from removing the salmon-spawning beds in the River Shannon; and, whether, before proceeding further with the drainage works in connection with that river, he will order an inquiry to be made by the Inspectors of Irish Fisheries as to whether damage is being, or is likely to be, done to the fishing interests in the Shannon by these drainage works?

*THE SECRETARY TO THE TREASURY (Mr. W. L. JACKSON, Leeds, N.): My attention has been called to the report of the meeting, and I am informed that the Shannon Conservators are taking counsel's opinion, but no further action appears to have been taken. I do not think it is desirable to stop the progress of the works which are now being carried out at Killaloe. The Board of Works are of opinion that no serious injury can result to the fishings by these works.

THE IRISH LAND PURCHASE AND SETTLEMENT COMPANY.

MR. T. W. RUSSELL (Tyrone, S.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether an association calling itself the "Irish Land Purchase and Settlement Company, Limited," and owning lands in County Galway, has recently sold a portion of its property to the tenants under the Land Purchase (Ireland) Acts; if so, whether he can state (a) the number of holdings sold; (b) the Poor Law valuation and the rental thereof; (c) the number of years' purchase paid by the tenants, and its relation to the rents previously paid by the tenants; and, whether this property was purchased chiefly by means of a Government loan; and, if so, can he state how the account stands, and who are the directors of the company?

MR. A. J. BALFOUR: The Land Commissioners state that the Irish Land Purchase and Settlement Company (Limited), which was incorporated on the 7th of February, 1884, and which purchased, through the Land Judges' Court in the year 1885, the Killclooney estate, in the County of Galway, has

since sold portions of the lands so purchased to the tenants under the Land Purchase (Ireland) Acts, 1885-1887. (a) Twenty-two holdings have been purchased by the tenants under the provisions of the Land Purchase Acts. (b) The total area sold was 404 acres, of which 249 acres were previously held by the tenants at rents amounting, in the aggregate, to £171. The additional 155 acres represent extra land added to the holdings of tenants purchasing, and in respect of which no rents were previously paid by them. Previous to the sale these 155 acres were let as a grazing farm to one tenant at a yearly rent of £200. The tenement valuation was not ascertained at the date of the sales. (c) The total amount of the advances in these cases was £5,583, the annuity in respect of which is £223 12s. 4d. It is not possible to compare this annuity with the previous rents paid by the purchasing tenants, on account of the additional land having been granted. There have been 23 further sales provisionally sanctioned; but the conveyances have not yet been prepared, or the money paid on these. In these cases also extra land will be added to the tenants' holdings upon purchasing. The price of the property purchased by the company was £43,300, of which sum the Irish Land Commission, with the assent of the Treasury, advanced the sum of £42,300. In the year 1887, the company being in arrear with their instalments, a receiver was appointed, at the suit of the Land Commission, by the Master of the Rolls. He is still in receipt of the rents of the unsold lands. The arrear due at the date such proceedings were commenced has partly been paid out of the sums advanced by the Land Purchase Commissioners on the sale of the lands to the tenants, and partly out of the rents of the unsold lands by the receiver. The half-yearly instalments payable to the Land Commission on account of the advance of £42,300, are £974 5s. 6d., and there is now due on foot of same £1,915 12s. 4d.

MR. T. W. RUSSELL: The right hon. Gentleman has not answered the last part of the question.

MR. A. J. BALFOUR: I beg the hon. Member's pardon; I have the information, but omitted to give it. The original directors of the company, as appears from the Articles of Association, were:—Mr. Charles Stewart Parnell, M.P., Mr. Ernest Hart, surgeon, Mr. William Henry O'Shea, M.P., the Bishop of Raphoe, Mr. Edmund Dwyer Gray, M.P., Mr. Thomas Baldwin, and Mr. William J. Doherty, C.E.

MR. SEXTON: I wish to ask the hon. Member for South Tyrone whether he has given any notice of his intention to ask this question to the hon. Member for Cork?

MR. T. W. RUSSELL: The question has been on the Paper for some time.

DR. TANNER.

MR. SEXTON: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland if he will explain why Dr. Tanner, M.P., on arriving from Tipperary Prison at Clonmel Railway Station on Wednesday last, was thrust by force and with violence into a prison van, and, having been overpowered by a number of warders and constables, was conveyed in the prison van to the Magisterial Court to attend the hearing of a charge against him; and, what has been the practice hitherto in regard to the conveyance of Members of Parliament convicted under the Criminal Law and Procedure Act?

MR. A. J. BALFOUR: I understand that Dr. Tanner, M.P., was not coming from Tipperary Prison to the Magistrates' Court at Clonmel. He was being conveyed in charge of Chief Warder M'Carthy under a writ of *habeas corpus* from Galway Prison to Clonmel Prison, accompanied by an escort of police. The prison van was in waiting at Clonmel Railway Station. Dr. Tanner refused to enter the van, and clung to the seat outside the door usually occupied by the prison warder; from this he had to be placed in the van, no more force being used than was absolutely necessary, as he resisted by every means in his power. Members of Parliament have been hitherto conveyed to gaol on the large open break supplied to the Constabulary; but the use of this has been discontinued since May 2, owing to the refusal of Messrs. John O'Connor, M.P. for South Tipperary, and T. J. Condon, M.P. for East Tipperary, to go on it when being conveyed from Tipperary Petty Sessions to Clon-

mel Gaol under sentences passed upon them under the Act.

MR. SEXTON: Are Members of Parliament to understand that they are in future to be expected to enter prison vans in Ireland?

No answer being returned,

MR. SEXTON: Unless you, Sir, are disposed to rule the question out of order I will press the question. Has it hitherto been the practice to ask Members of Parliament in Ireland to enter the prison van?

MR. A. J. BALFOUR: I must ask for notice of the question. I do not see that the two Members who refused to enter the open break had anything to complain of.

THE ROYAL COMMISSION ON FISHING RIGHTS IN SCOTLAND.

MR. BUCHANAN (Edinburgh, W.): I beg to ask the First Lord of the Treasury, when the names of the Commissioners, and the terms of Reference of the Commission, to inquire into the exercise and disposal of the Crown rights of fishing in Scotland, promised by him on the 27th of May, will be announced?

*THE FIRST LORD OF THE TREASURY (Mr. W. H. SMITH, Strand, Westminster): The Commission will inquire into the exercise of the Crown rights in respect of salmon fishing. I am not able to give the hon. Gentleman the names of the Commissioners at the present time, but it will be a small Commission. Before the Session closes I hope to be able to give the House the information asked for.

GRANTS TO THE ROYAL FAMILY.

MR. EDMUND ROBERTSON (Dundee): I beg to ask the First Lord of the Treasury if he intends to proceed this Session with the proposed Committee on Parliamentary Grants to Members of the Royal Family?

*MR. W. H. SMITH: The question is under consideration. I hope to be able to make a statement on Thursday.

INTERNATIONAL INDUSTRIAL CONFERENCE

MR. HOWARD VINCENT: I beg to ask the Under Secretary of State for Foreign Affairs if any decision has been arrived at with regard to the International Industrial Conference, which, according to the agreement come to at Rome in 1886, was to have been held in Madrid in the course of the present year?

*SIR J. FERGUSSON: No invitation to the Conference has been received from the Spanish Government, and it is believed that no date has yet been fixed for the meeting.

THE NEW FOREST.

MR. DARLING (Deptford): I beg to ask the Secretary to the Treasury what is the number of the persons having rights of common in the New Forest?

MR. JACKSON: I hope by Thursday to be able to answer the question.

ZULULAND.

MR. THOMAS ELLIS (Merionethshire): I beg to ask the Under Secretary of State for the Colonies if he will grant the Returns as to Zululand which stand on the Paper this day?

BARON H. DE WORMS: Her Majesty's Government have no objection to giving these Returns; but it may be necessary to refer to the Colony for some of the information desired.

MR. THOMAS ELLIS: May I ask the hon. Gentleman whether he is aware that the resident Magistrates in Zululand have at times exceeded their jurisdiction by inflicting lashes considerably in excess of the limit specified by law; whether Magistrates have customarily violated the law by causing sentences of flogging to be put into execution without previous reference to the chief magistrate; and, whether floggings have been inflicted by Magistrates without previous trial?

BARON H. DE WORMS: The Secretary of State is not aware of anything to confirm the hon. Member's suggestions, except in one instance where an acting officer exceeded his powers as indicated in the second paragraph of his question. The Secretary of State has dealt with that case, and has directed a special circular to be addressed to all magistrates in Zululand, enjoining them to observe the law in regard to sentences of flogging in every particular.

MR. T. ELLIS: What is the limit?

BARON H. DE WORMS: I am unable to answer that question.

MAIL SERVICE TO PENANG.

MR. JOHNSTON: I beg to ask the Postmaster General whether it will be possible to institute a weekly mail service from London to Penang as well as to Singapore?

A LORD OF THE TREASURY (Sir H. MAXWELL, Wigtonshire): In the absence of my right hon. Friend, I may inform the hon. Member that there is at present a weekly mail service from London to Penang. Mails are forwarded fortnightly by the British Packets which call at Penang, and in intermediate weeks, by the French steamers from Marseilles, which, although they do not stop at Penang, carry the mails to Singapore, whence they are conveyed to Penang by local steamers.

ARMY SERGEANTS.

COLONEL NOLAN (Galway, N.): I beg to ask the Secretary of State for War if he can give any further information as to the statement that all single sergeants going through courses at Woolwich received 4d. a day lodging money; and, if he is certain that sergeants sent home from India to qualify as master gunners receive more than 2d.?

*MR. E. STANHOPE: I should like to explain, in reference to a former answer given by me on this subject, that the War Office regulations give 4d. a day to each unmarried man stationed singly away from the headquarters of his regiment. Should, however, several unmarried men be away from headquarters they are allowed 2d. a day, as separate rooms need not be provided. The non-commissioned officers sent home from India are paid by the India Office, and it is believed that they receive 2d. a day only.

THE SUGAR BOUNTIES BILL.

MR. J. MORLEY (Newcastle-on-Tyne): In the absence of my right hon. Friend the Member for Mid Lothian (Mr. Gladstone) I wish to ask the First Lord of the Treasury whether the House may reckon on having the proposal of the Government to discharge the Order relating to the Sugar Bounties Bill taken as the first business of the day on Thursday next?

*MR. W. H. SMITH: It was not the intention of the Government to put down the Motion for the discharge of this Bill as the first Order for Thursday. No good purpose would be served by doing so. I am under the impression that it would not be in order for any debate to arise on that occasion, and that some other opportunity will be found if the right hon. Gentleman wishes to raise a debate; but I will communicate further with the right hon. Gentleman the Member for Mid Lothian on the subject.

MR. J. MORLEY: I think a good purpose would be served by enabling the Government to keep its engagement. We understood that the discharge of the Order would be put down first on Thursday, not with a view to a long discussion, which might perhaps be out of place, but a very moderate discussion would probably suffice. A new impression seems to have formed itself in the right hon. Gentleman's mind since he made his previous statement.

*MR. W. H. SMITH: I certainly did not intend to convey the impression to the right hon. Gentleman or his friends that the discharge of the Order would be placed first on the Paper. It was my duty to ascertain whether it would be in order that a debate should arise on that occasion before making arrangements as to the course of Business. As no discussion would be in order on that occasion another opportunity must be found for it if desired.

MR. J. MORLEY: I do not want to press the matter; but only the other night the right hon. Gentleman told us that he was willing to place the discharge of the Order as the first Order of the Day, and to allow a discussion to be taken on it.

*MR. W. H. SMITH: I am sure that the right hon. Gentleman does not wish to make a statement which I am not prepared to accept, and I cannot accept that account of my statement as correct. If the right hon. Gentleman refers to any report that may have been made of what fell from me, he will find that I never at any time undertook, or sought to convey, the impression that I would undertake to put down this Motion as the first Order. I consented to postpone it.

MR. J. MORLEY: Are we to understand, then, that the chance of a discussion on this question is indefinitely postponed?

*Mr. W. H. SMITH: I am afraid it is. I also stated—and I am sorry that the right hon. Member for Mid Lothian is not in his place—that I would refer to the question again in that right hon. Gentleman's presence.

Mr. GLADSTONE (Edinburgh, Mid Lothian) (who subsequently entered the House): It may be for the convenience of the House if I am permitted to put a question to the Chair on the subject of the question which stood in my name to be addressed to the right hon. Gentleman opposite, and which has, I understand, been answered in my absence. My question had reference to the Motion which will have to be made in order to get rid—to use a colloquial phrase—of the Sugar Bounties Bill for this Session. That, I presume, would be the discharge of the Order; and the object of my question was to secure not that it should come on on Thursday next, but that when it did come on it should come on as the first Order. That would certainly give a convenient opportunity for a discussion, not upon the merits, but upon the postponement of that Bill. I am aware that the merits of the Bill could be discussed on the Order to discharge it; but I have respectfully to ask you, Sir, whether it will not be perfectly in order, when the Order of the Day is read that it may be discharged, to make any observations then addressed properly and strictly to the postponement of the Bill?

*Mr. SPEAKER: I have already had the opportunity of stating, in reply to the right hon. Gentleman, who asked me whether it was possible to have a discussion on the withdrawal of a Bill, what I have always stated, and what I now repeat, that no Second Reading speech can be made upon the withdrawal of a Bill. The Motion not being for the second reading but for the withdrawal of the Bill, it is obvious that the same latitude of discussion could not arise as could arise on the Order for the Second Reading. Of course, the postponement from day to day, the question to what day it shall be postponed, or even the circumstances under which it is withdrawn may be gone into; but I have always pointed out that a stricter limitation would apply to a debate on the withdrawal of a Bill than to a debate on the Motion for the Second Reading.

Mr. GLADSTONE: May I ask the right hon. Gentleman opposite whether he is in a position to name a day upon which the withdrawal of the Order may be moved, and a convenient opportunity afforded for making observations strictly limited to the question of the withdrawal of the Bill?

*Mr. W. H. SMITH: I am not now in a position to name a day; but I will between this and Thursday endeavour to communicate with the right hon. Gentleman, and to name some day after the Committee on the Scotch Local Government Bill is concluded.

H.M.S *DART.*

In reply to Mr. Heneage (Grimsby),

*Lord G. HAMILTON: The *Dart* is reported in this morning's papers to have arrived safely at Sydney.

ORDER OF BUSINESS.

Mr. J. MORLEY: Will it be convenient for the right hon. Gentleman to give the House any information as to the course of public Business for the week, especially in regard to the Scotch Local Government Bill?

*Mr. W. H. SMITH: I had hoped that the Scotch Universities Bill would have passed through Committee before now, although I do not complain that its progress has not been more rapid; but I trust that the Bill will be disposed of at an early hour this evening. Then we propose to take the Chief Secretary for Ireland's Bills. It is proposed to take the Scotch Local Government Bill in Committee on Thursday, and to proceed with it from day to day. The other measures of the Government will only be postponed until that Bill is disposed of. We shall endeavour to complete the programme which we indicated a fortnight ago; and it is, therefore, simply a question of how long the Session will have to last to complete that programme.

Sir J. SWINBURNE (Staffordshire, Lichfield): When is it probable, approximately, that the Tithe Bill will be taken?

*Mr. W. H. SMITH: The Tithe Bill will be taken immediately after the Committee on the Scotch Local Govern-

ment Bill closes. That Bill is included in the programme of the Government.

PUBLIC EXPENDITURE.

Ordered—

"Return of Public Expenditure (Exchequer Issues), Charges of Taxes, for each year from 1857-8 to 1888-9 (in continuation of Parliamentary Paper, No. 298, of Session 1888." —(*Mr. Childers.*)

ZULULAND (REVENUE.)

Ordered—

"Address for Return showing the Revenue of the Government of Zululand from the 14th day of May, 1887, to the 1st day of June, 1889, and the different heads under which such Revenue is collected."—(*Mr. T. Ellis.*)

ZULULAND (CATTLE SEIZED).

Ordered—

"Address for Return showing the number of heads of Cattle levied as fines and otherwise seized by the Government of Zululand from the 14th day of May, 1887, to the 1st day of June, 1889, and the purposes to which such Cattle have been applied."—(*Mr. T. Ellis.*)

INCLOSURE ACTS (RECREATION GROUNDS AND FIELD GARDENS.)

Ordered—

"Address for Return of Recreation Grounds and Field Gardens, set out under the Inclosure Acts, 1845 to 1878, of which the Trustees or Wardens have (1) refused or neglected to make reports to the Land Commissioners in respect of the Recreation Grounds and Field Gardens under their management, as required by Section 28 of 'The Commons Act, 1876;' or (2) applied the surplus rents of Recreation Grounds or Field Gardens to objects other than those directed by Section 27 of 'The Commons Act, 1876;' such Return to state in each case the name of the county, and the parish, in which the Recreation Ground, or Field Garden, is situate; the name of the common from which, and the dates of the Act of Parliament and Provisional Order under which, it was set out; the office (if any) in the parish held by each Trustee or Warden; and short particulars of any communication between the Land Commissioners and the Trustees or Wardens."—(*Mr. Shaw-Lefevre.*)

MOTION.

IRELAND—THE ARREST OF MR. W. O'BRIEN.

ADJOURNMENT OF THE HOUSE.

MR. SEXTON, Member for West Belfast, rose in his place, and asked leave to move the Adjournment of the House, for the purpose of discussing a definite matter of urgent public importance—namely, the course pursued by the Irish Government in regard to the Proclamation of the Cork meeting, and the arrest and prosecution of Mr. William O'Brien; but the pleasure of the House not having been signified, Mr. Speaker called on those Members who supported the Motion to rise in their places, and not less than 40 Members having accordingly risen.

MR. SEXTON: Sir, at the earliest moment I wish to challenge the Government to offer the House some explanation, some justification, if they have any, of their memorable and disgraceful proceedings in Ireland yesterday. The record of the day is notable even in the regime of this Administration of brute force. The Government, yesterday, proclaimed and prevented a public meeting duly called in Ireland for a legal and constitutional purpose, and they arrested, at a moment of dangerous excitement, a beloved and distinguished public man, a Representative of the people; they wantonly, by the hands of their agents, inflicted upon another Member of this House such serious physical injuries, that he now lies at the point of death; they wantonly batoned a peaceable crowd of men, women, and children; and at Charleville they fired upon a railway train and seriously wounded two men, one of them an official of the railway company. It will be agreed that this is the record of one day's proceedings on the part of a Government of conciliation which challenges the examination of the House. The first question I have to ask is, Why was the Cork meeting proclaimed? I have a copy of the proclamation here, and in that proclamation it is alleged that the meeting was called in furtherance of the criminal conspiracy known as the Plan of Campaign. I treat that statement in the simplest terms, and I declare it to be a lie. I challenge the information of the Government as to the facts on which the proclamation was issued. The meeting no doubt had reference to the Ponsonby estate, but the Plan of Campaign has been in operation on that estate for three years. A meeting in Cork was at a considerable distance from the estate, and whether the meeting was held or not, the holding of it, or abstaining from holding it, would not affect in one way or the other a

Plan of Campaign which has been in operation for three years, and is likely to continue in operation until the matters with which it deals are satisfactorily settled. A meeting was held in London yesterday; thousands of people assembled in Hyde Park to support the Plan of Campaign in Ireland; but no one proclaimed that meeting, and no one batoned the people who attended it. It did not occur to the Home Secretary that it was a meeting which called for attention on his part. It was a meeting to sympathize with a Member of this House who has been condemned by one of your servile salaried officials in a Court in Ireland, and declared to be an offender against the law. The meeting in Hyde Park was allowed because Englishmen are free. The Cork meeting was convened by the Mayor and by the Public Boards of the City, and it had three objects—namely, to express sympathy with the tenants on the Ponsonby estate—400 families threatened with eviction and ruin; to protest against the treatment those tenants are receiving; and, thirdly, to evoke an expression of public opinion in favour of the Ponsonby tenants. I have said that one of the objects of the meeting was to protest against the treatment of the tenants of the Ponsonby estate. What treatment have they received? They have spent the past three years in a state of anxiety and suspense amounting to positive torture, expecting every moment to find themselves turned out of their homes. Those poor people have strained every nerve to effect a settlement with their landlord. Their landlord himself was desirous of a settlement, and asked his agent to promote one. The agent carried a settlement to the very point of completion, and at that moment when the difference between them was a mere bagatelle, the hon Gentleman opposite, the Member for South Hunts (Mr. Smith Barry) steps in to prevent that settlement and to secure the ruin of these people. [Mr. Smith Barry made a gesture of dissent.] The hon. Gentleman in this affair has reached a pass in which gesticulation will not excuse him. We have it on the word and on the faith of the agent of the estate that the difference was trivial, and that he hoped and expected to arrive at a settlement. Yet that was the moment when the hon. Gentleman, who owns estates of his own, stepped down from his high position to promote a syndicate in London, and to hand over hard-working tenants, and women and little children as well, to destruction and ruin. I say that the people of Cork had a right to protest against the treatment which the Ponsonby tenants have received. The third object of the meeting was to appeal to public opinion in favour of the tenants. Has it come to this that even in Ireland no appeal to public opinion must be made, but that men are to be struck down, and turned out of their homes without even being allowed the consolation of making a complaint. Does the right hon. gentleman with his soldiers think he can prevent us from appealing to public opinion? He is himself the creature of public opinion as this House is, and public opinion will in the long run have its way. The Cork meeting yesterday was intended to influence public opinion in Great Britain, and to fix the attention of Great Britain upon what is going on in Ireland, and the proclamation of it was as cowardly and dastardly an act as has distinguished the Chief Secretary's policy since the first day he came into office. Let me ask upon what charge has Mr. O'Brien been arrested? Mr. O'Brien made no attempt to attend the meeting in defiance of the proclamation. He accepted the proclamation; the proclaimed meeting was not held. We are given to understand he was arrested because of a speech he delivered on Sunday week to the tenantry of the hon. member for South Hunts in the county of Tipperary. As a simple matter of tactics, it was a fair thing to occupy the attention of that hon. member with the affairs of his own tenantry in Tipperary. Will any deny that the tenants of Tipperary have not a right to sympathise with their fellow tenants in the County of Cork? The hon. Gentleman (Mr. Smith Barry) has supplied the best justification of that meeting, because he has agreed to receive a deputation from the meeting who wish him to desist from the unfortunate part of interloper and Paul Pry which he has taken up in Irish affairs. I hope the issue of that deputation will be that the hon. Gentleman may be induced to see, if not the impropriety, at least the unreasonableness

of the course he has pursued. If such is the result, nobody will say that that was a useless meeting, still less will they say it was an illegal meeting. A few nights ago, when we were protesting against the action of the Member for South Hunts, the hon. and gallant Member for North Armagh (Col. Saunderson) said every landlord in Ireland has a personal concern in the estate of every other landlord, and is entitled to interfere in the affairs of the estate of others. The hon. and gallant Member added, "We will stand or fall together." Why may not the tenants be allowed to stand or fall together? If the landlords of Ireland have the right to combine together for the purpose of producing evictions, the tenants upon any estate have a better right to combine to save the tenants from eviction. The only reason why the hon. Member for North-East Cork attended the recent meeting of the tenants of the hon. Member for South Hunts was to induce them to take combined action in consequence of the proceedings of their landlord in regard to the Ponsonby estate. Was my hon. Friend not entitled to advise the tenants first to bring their opinion to bear upon the hon. Member (Mr. Smith Barry) himself—and he has accepted the reference made to him—and secondly, to make his conduct in the Ponsonby estate a matter for public adjudication in the country? That is the action of my hon. Friend (Mr. O'Brien), that is the action for which he is being prosecuted. If the Government put every Irish Member into gaol to-morrow I tell them that the action of every landlord who endeavours to imitate the example of the hon. Member for South Hunts, who constitutes himself the exterminator and persecutor of the poor, will be seriously dealt with by public action in Ireland. Now, the Chief Secretary has only two modes of arresting his political opponents. He either breaks into their houses at night and alarms women and children, or else arrests them at the moment when people are crowding round them, when there is excitement, and when there is the maximum of danger in the execution of the warrants. The latter was the method pursued on this occasion. The speech for which Mr. W. O'Brien was arrested was delivered on the previous Sunday. Why was the warrant not executed during the week? Did the authorities hope for similar results to those which attended the arrest of Father M'Fadden? Did the Government wish to create a pretext for murder? I emphatically affirm that there was no disorder at the railway station except what was created by the police. The moment Mr. O'Brien stepped from the train an inspector came forward and executed the arrest, the police at the same time laying on with their batons and the stocks of their rifles upon men, women, and, I regret to say, children. I have received from two of my hon. Friends who were present testimony on the subject of the order maintained by the crowd. Mr. Lane telegraphs that there was neither shouting nor crushing when the police suddenly batoned the crowd. Mr. Flynn telegraphs,—

"Great brutality of police last night at William O'Brien's arrest. No disorder whatever when the police charged meeting of people with their rifle stocks."

[Mr. W. REDMOND: Cowards!]

"O'Brien (North Monaghan) dangerously wounded, if not dead. No excuse possible. No provocation given to warrant these brutal attacks. Over 20 people in the infirmary."

My hon. Friend the Member for North Monaghan (Mr. Patrick O'Brien) stepped forward to shake hands with the hon. Member for North-East Cork just after his arrest, and was beaten with batons and stocks of rifles. He received two dangerous wounds—one upon the head and another upon the forehead. The accounts received this morning describe him as lying in a condition of danger, but the doctors now think he will not be in danger unless erysipelas sets in. I want to hear some justification of that assault. Was not my hon. Friend entitled to be present and to shake hands with the hon. Member for North-East Cork? Mr. O'Brien was taken to the police station, and then two hon. Members of the House—Mr. Maurice Healy and Mr. Lane—the former being Mr. O'Brien's legal adviser, applied for admission to the station and were refused. Will the right hon. Gentleman the Chief Secretary contend that he has a right to prevent a conference between Mr. O'Brien and his legal adviser? Bail was refused, though two bails for £1,000 were offered. If bail had been accepted the subsequent disorder of that night would have been avoided. But it is no part of the Government's policy to avoid dis-

order. It is their policy to provoke it. On the occasion under discussion not only was the intention to provoke disorder, but by every means possible to create such a state of things in Cork as to enable the Government to pretend that they have some excuse for batoning the people, and to provide some plea for presentation to the jury at Manchester which will soon try the libel action of Mr. O'Brien against Lord Salisbury. And the nephew of Lord Salisbury is the Constitutional Minister who, by means of armed agents, tries to juggle with the law and to prejudice the trial of a case about to come before an English jury. Bail having been refused, Mr. O'Brien was taken at once to the Cork terminus, and on the journey to Dublin—at Charleville—the police fired out of the train, and inflicted dangerous wounds on two men on the platform who were not engaged in violence—one a well-known man and respectable officer of the railway company. On these facts, which speak for themselves and which are grievous and lamentable enough, the House must pass judgment; and, in any case, the country will exact reparation from the Government for their conduct in seeking to create a pretext for violence and an excuse for murder. At the earliest opportunity the country will express its condemnation of a policy more cowardly and dastardly than any I ever have read of in the history of Ireland.

Motion made, and Question proposed, "That this House do now adjourn."—(*Mr. Sexton.*)

*THE SOLICITOR GENERAL FOR IRELAND (Mr. MADDEN, Dublin University): I rise on behalf of the Government—["Oh, oh"]—to make a short statement with reference to some of the matters to which the right hon. Gentleman has called the attention of the House. It is obvious that the House is at a great disadvantage in discussing the alleged incidents which have been alluded to; because in the short time which has elapsed since their occurrence it is impossible for hon. Members opposite, or for Her Majesty's Government, to be in possession of the full facts. But, at the same time, certain matters are particularly clear. The right hon. Gentleman who has moved the adjournment of the House has complained that Her Majesty's Government have on former occasions caused houses to be broken into at the dead of night for the purposes of making arrests. Now, the right hon. Gentleman complains that an arrest has been openly made in a railway station in the middle of the day. How can the two complaints be reconciled?

MR. SEXTON: I still think that arrests should not be carried out in the dead of night, nor at a moment of popular excitement in the day, but at some time when people are not in bed and not under circumstances of excitement.

*MR. MADDEN: I am not aware that a railway station is a chronic scene of public excitement. I have some experience of Irish railway stations, and I assert that they are not such scenes of turmoil and excitement as render them unfit places in ordinary circumstances, and where no excitement is created with the object of effecting a rescue, for making an arrest. Let the House bear that consideration in mind. It has been said that certain incidents had occurred on the occasion of the arrest, and what I hope and believe are exaggerated accounts of injuries received by an hon. Member of the House have been given. Now, whatever occurred is not to be attributed to the action of the Government and the authorities in selecting the railway station for arrest, but purely attributable to the action of the crowd in their endeavour to produce a disturbance. There are other facts to be borne in mind to one of which the right hon. Gentleman has called attention. We have information that both at Mallow and at Charleville during the progress of the train serious disturbances took place, and it is a fact that revolver shots were fired out of the windows by the police. But the Lord Mayor of Dublin has not mentioned the fact that those shots were not fired until shots had first been fired at the police.

MR. SEXTON: Can the hon. and learned Gentleman account for the fact that no mention is made of this circumstance in any of the newspaper reports?

*MR. MADDEN: No, I cannot; but, I do not think that, as a rule, the accounts

are so full and so accurate as to render it necessary, on one side or the other, to account for the absence of any material fact. The right hon. Gentleman has challenged the Government on the cause of the arrest of the hon. Member for North-East Cork. I cannot do more than state the charge, as it would not be proper to discuss, pending the trial, the circumstances under which the charge is brought forward. If the hon. Member is not guilty of the charge, he can show his innocence. It will be for the Crown to prove this at the trial —that the hon. Member has committed the offence with which he is charged. The charge is that of taking part in, and inciting to, the Plan of Campaign. If the charge is true, no more serious charge in the present position of Irish affairs could be brought against any one. Now, with reference to the meeting at Cork. The right hon. Gentleman said that yesterday a large meeting was held in Hyde Park for the avowed purposes for which the Cork meeting was alleged to be held, and the right hon. Gentleman asked why the Irish meeting had been proclaimed while the English meeting had not. The right hon. Gentleman's explanation was that Englishmen were free, while Irishmen were not free. In making such a remark the right hon. Gentleman must have had in his mind some of the provisions of the Crimes Act of 1882, which are entirely absent from the Act of 1887, but which enabled the Executive of 1882 to largely interfere with the freedom of public meeting—a power of which they availed themselves to a very considerable extent. But at the present moment the law as regards the suppressing of public meetings is the same on one side of St. George's Channel as on the other. The Government have no more power in Ireland than in England to make a meeting illegal by proclamation. The legality or illegality of the meeting depends on the answer to one question —namely, was the meeting such as the Government, with the information before them, believed to be a meeting in support of the conspiracy known as the Plan of Campaign? If the meeting were held in support of that conspiracy, no lawyer would deny that it was an unlawful assembly properly proclaimed by the Executive. It is one of the elementary propositions of the law with respect ot public meetings that a meeting held for an unlawful purpose, or for advancing the cause of an unlawful conspiracy or association, is *ipso facto* itself unlawful. The information before the Government, and which we are ready to bring to the test in a legal manner, goes to show that this meeting was intended to support the Plan of Campaign, and it was the right and the duty of the Government to suppress it. On these grounds the Executive have acted. The information before them proved the meeting to be an unlawful assembly. The charge against the Member for North-East Cork will be proceeded with in regular course; and as to the rest of the right hon. Gentleman's speech, and the incidents which followed the action of the Executive, I have stated all the information in our possession, but this information will, of course, be supplemented when we have all the facts before us.

MR. W. REDMOND (Fermanagh, N.): It is almost incredible that the right hon Gentleman the Chief Secretary should sit there and refrain from answering the speech of my right hon. Friend the Lord Mayor of Dublin (Mr. Sexton). The hon. and learned Gentleman who has just resumed his seat must know very well that it is his right hon. Colleague we regard as concerned with these events in Ireland. It is the business of the Chief Secretary to answer such questions as these which have been raised; and I can only assume he must be thoroughly impressed with the badness of his case that he does not exhibit that courage he has sometimes shown in defending a bad case, and auswer my right hon. Friend. Though the right hon. Gentleman slinks away and shows no inclination to meet these charges, none the less we hold him responsible for what has occurred in Ireland. The hon. Gentleman opposite too (Mr. Smith Barry), who has been charged with being the cause of these disturbances in Cork, has not the courage to rise and, in a manly way, give us his side of the case; he sits quietly under charges that would make any English gentleman and landlord spring to his feet to defend his name and honour. If the charges brought against the hon. Gentleman opposite are true, he is convicted of conduct of a very discreditable character, and I am bound to say it looks

very much as if the hon. Gentleman had no defence to make to the charges and allegations made against him. The Solicitor General has attempted to defend the arrest of Mr. W. O'Brien at a railway station, and he has remarked upon our objections to arrest in the middle of the night. Of course, we object to these arrests being made in the middle of the night, because the breaking into a house by an armed force of the Crown in the dead of night is likely to lead to a breach of the peace and serious disturbance, and, in any case, we complain of arrests being made under circumstances likely to lead to violence and disturbance. Why will you not make these arrests quietly? Why will you choose an occasion when people are congregated together in large numbers? Time after time you have deliserately arrested representatives of the brish people, and especially those repre-Ientatives of the Irish people occupying seading positions like Mr. O'Brien, at lhe very moment when a crowd is astembled, and when it is almost miraculous if a disturbance does not occur. The hon. Gentleman says a railway station is a quiet and convenient place to conduct the arrest of an Irish Member of Parliament—a most extraordinary statement to make. My impression is that at a railway station there is always more or less of a crowd, and the hon. Gentleman did not tell the House that yesterday every railway station near Cork was crowded by people returning from meetings held in the county. The meeting in the city was proclaimed, but that only made a larger attendance at meetings held outside the city. The railway stations were thronged by excited people, excited by the proclamation of what they had intended should be a perfectly legal, Constitutional, and peaceful meeting; and it was at one of these stations where a large number of people had gathered that Mr. O'Brien was arrested by a force of 50 policemen, who charged through the people, without notice or warning, batoning the people right, left, and centre. Now, what can be the motive that induces the right hon. Gentleman to make his arrests under circumstances of this kind? What motive can he possibly have except the desire for turmoil, bloodshed, and, possibly, murder in Ireland? He and his colleagues surely might have been expected to learn a lesson from what happened when Father M'Fadden was arrested at what, even the Chief Secretary admitted, was a signally unfortunate moment, when a crowd was just dispersing after attending church, and the unhappy result was that one of the police officers lost his life. That ought to have been a warning to the Chief Secretary for the rest of his days; but, instead of profiting by that fatal morning, we find him arresting Mr. O'Brien under circumstances well calculated to excite provocation, and the only surprise I feel is that, considering the aggravating circumstances, there was not more violence and disturbances than has been reported. The Solicitor General says it is necessary to use violence to prevent rescue, but I do not know that there was any attempt at rescue before violence was used. If the Government would do as we have advised them they would select a time when, without any risk of disturbance, the arrest could be quietly effected and without any fear of rescue. It was simply because the Government deliberately sent 50 policemen to arrest Mr. O'Brien before hundreds, perhaps thousands of his countrymen, excited as they were by the proclamation of their meeting, that there was any fear of rescue, though I do not know that there was any such attempt in this instance. I am glad the Solicitor General did not make any defence of the police for firing on an unarmed crowd. He said the police were first fired upon by the people. Well, the reports of yesterday's proceedings in to-day's newspapers are meagre; but if the people have taken to the use of firearms against the police, that is a piece of news that would certainly find its way into any English newspaper, however meagre the report, but no newspaper has a word of it. The Solicitor General now tells us a cock-and-bull story, which he probably has received from some District Inspector of Police, perhaps, to screen himself. I, for one, refuse to believe it. The police were not fired upon at Mitchelstown or at other places where we know the police, acting deliberately and wantonly, or under the orders of the Government, shot the people down. For all the violence that took place the Government are responsible, for they might have arrested Mr. O'Brien quietly

in Dublin, and scarcely half a dozen people would have known of the occurrence at the time. But they deliberately tried to create a riot and disturbance in Cork. The hon. Member opposite (Mr. Smith Barry) is responsible also for these occurrences. He knows something of Cork, and he could have told his friends in the Executive that the attempt to make the arrest on this particular day, when so many people were gathered together, was a dangerous thing to do; but I suppose the hon. Member is so anxious that Mr. O'Brien should be imprisoned, that he gave no hint of the kind to the Chief Secretary. Why has my hon. Friend been arrested? For promoting the Plan of Campaign? Why, we hear from the hon. Member for South Tyrone (Mr. T. W. Russell) over and over again that the Plan of Campaign has been completlely broken and smashed in Ireland. Whenever that hon. Member speaks at English election meetings, he tells his audiences that the Plan of Campaign is completely crippled and practically powerless, and other supporters of the Government go around England and Scotland proclaiming the triumph of law and order, and declaring that the Plan of Campaign, an illegal combination and all the rest of it, have been put down by the strong Government of the Chief Secretary. Which are we to believe, the Solicitor General who tells us here that the Plan of Campaign is so successful that it is necessary without hesitation to baton the people, proclaim their meetings and throw Mr. O'Brien into prison again; are we to believe his version of the vigorous life of the Plan of Campaign, or are we to give credence to the stories told by the hon. Member for South Tyrone and others who go about England lauding the Chief Secretary, and trying to befool the people into the belief that the Government have succeeded in pulling down popular combination in Ireland? Is Mr. O'Brien put in prison for promulgating the Plan of Campaign? I deny it. We will test the vigour and strength of the Chief Secretary's Government. Mr. O'Brien in this matter has not done a single thing beyond what the Archbishop of Cashel has done. His Grace has recommended the tenants of the hon. Member (Mr. Smith Barry) opposite to send a deputation to remonstrate with him against his interference in the Ponsonby estate, and he has expressed sympathy with the Ponsonby tenants, and made strong representations against their eviction. Let the Chief Secretary hold up his head and listen to what I am saying. His Grace the Archbishop of Cashel has written a letter on which he practically endorsed everything Mr. O'Brien has done in the matter, in which he indicated the sympathetic action of the Tipperary tenants of the hon. Member opposite, in which he said the hon. Member had gone out of his way to combine with other landlords to carry out evictions, and that the tenants had an equal right to combine to defend themselves against the conbination of the landlords. I ask the Chief Secretary why does he not order the arrest of Archbishop Croke? Why does he not send 50 policemen to Cashel to arrest the Archbishop in his Palace? So, though he boasts of firmness and impartiality in carrying out the law, his courage evaporates before the prospect of a conflict with one of the most beloved and respected men in Ireland. There are hon. Gentlemen opposite who think it a becoming thing to laugh when unfortunate people are being evicted in Ireland; but I notice the hon. Gentleman who owns many broad acres in Tipperary does not join in the hilarity; probably he begins to find that undue interference with other people's concerns is not a laughing matter at all; and unless I am very much mistaken, the deputation who will wait upon him the day after to-morrow will not meet him in better humour because Mr. O'Brien may be then in prison, because he sent the deputation over to meet him. If Irish tenants are not allowed to combine, then neither should Irish landlords be allowed to combine against their tenants. If we had anything like justice and fair play in Ireland then the meetings of the hon. Gentleman and his colleagues would be dispersed by the police, and his head would be broken by the policeman's baton in Cork, just as my hon. Friend the Member for North Monaghan suffered for sympathizing with the tenants. I can tell the right hon. Gentleman that, whether Mr. O'Brien is sent to prison or not, whether meetings of tenants are attacked or not, so long as landlords combine and carry out evictions in Ireland, so long as

illegal combinations of landlords are allowed for the purpose of keeping up impossible rents, so long will the Irish people, acting under the advice of their leaders and their Archbishops, continue to combine, and in the end we shall have the satisfaction of teaching the hon. Member opposite that the tenantry of Ireland have at length learned the lesson of combination, and that the day has gone by when any landlord can, in an off-hand manner, help his brother landlord to evict his tenantry. I believe in my heart that the aim and object of the Government is to drive the people into acts of violence and acts of outrage not only in Cork, but in the county of Wexford, where prosecutions have been ordered against men who have spent the whole of their lives in promoting the settlement of difficulties on fair terms between landlords and tenants — the priests who have brought about a settlement on the estates of Lord Templemore and others. These priests are to be tried next Thursday. I say this system of batoning the people, breaking up their meetings, treating the representatives of the people as convicted criminals in this country are not treated, all this is part of a deliberate policy to arouse the Irish people to desperation; and though I should be sorry to see anything like such a response to these repeated acts of provocation, I say that if the Irish people at any time do retaliate in a spirit of exasperation, the Chief Secretary will be responsible for any fatal consequences that may ensue; and I hope the Government will remember then that we warned them, and I believe the English people will see that if the Irish people have not retaliated long ago, it is because they have faith in the idea that the English people do not sympathize with proceedings such as those that were carried out yesterday at Cork, under the authority of Her Majesty's present Government.

Mr. P. J. POWER (Waterford, E.): It cannot be said that any serious answer has been made by the Solicitor General to my right hon. Friend (Mr. Sexton). I should have imagined that the Government must have known that yesterday would be a day of excitement in Cork. Wherever Mr. O'Brien goes in any part of Ireland, he is received with crowds and acclamations. He has made himself popular with all our race, wherever they may be scattered, by his courage in standing between the evictor and the evicted, whenever the law has refused its protection. Even here in England, wherever Mr. O'Brien goes, he is received with acclamations, and crowds assemble to greet him. It is idle, then, for the Solicitor General to endeavour to persuade the House that there was no reason to apprehend a disturbance, when the Government chose a time for the execution of the warrant when the people were likely to be aroused to the highest pitch of excitement by seeing their beloved leader arrested. Surely it should be a guiding principle to execute arrests of this kind in a manner to cause the least friction, and with a general regard to the safety and peace of the community. What happened at Manchester? My hon. Friend, by the bungling of the Magistrates at Carrick-on-Suir, was allowed to leave, and managed to keep his appointment to speak at Manchester. The Manchester Police had in their hands for two or three days previously a warrant for his arrest. The Manchester Police had power to arrest my hon. Friend before he addressed the meeting, but the head of the Executive there, a strong Tory, I believe—at any rate, no sympathizer with us—considered there was a discretion vested in him, and he refused to execute the warrant until it could be done with as little excitement as possible. Mr. O'Brien was allowed to deliver his speech, and, I am happy to say, it created a great effect in Manchester. Perhaps we have evidence of that in the uncle of the right hon. Gentleman being anxious to remove a pending trial from Manchester, and I hope the Manchester people will try and prevent that. However, the head of the Executive there declined to execute the warrant until he thought the time fitting, and his explanation was that he considered a certain amount of discretion was vested in him, and that it was his duty to carry out his order with due regard to the peace of the community. What is the conduct of the Government towards them when popular excitement is running highly? The Government just take advantage of that time to execute a warrant on a beloved Irishman. I must say the people bore it with a marvellous amount of self-control, and I am surprised that greater mischief did not

ensue as the result of the Government action. I do not think the right hon. Gentleman has succeeded in proving that the meeting proposed to be held on Sunday in the neighbourhood of Cork was criminal. It is notorious that it was not held to promote the Plan of Campaign. It was held in order to authorize a deputation to wait on the hon. Gentleman the Member for South Hunts, and explain to him the opinion of the tenantry with regard to his action in connection with the Ponsonby estate. We are told that we have an equal law in Ireland; that it is meted out alike to poor and to rich, but our experience has proved to us that there is one law for the poor and another for the rich. Rich men may combine to desolate the whole of the country. It is not criminal on their part to do that; but immediately the poor men contrive to protect their homes, then it becomes a crime. These are things which, in Ireland, cause us to mistrust the law. I admit that if our country is to be prosperous, it is absolutely necessary that respect for law and order should exist in the community. But how can you expect law to be respected if you do not mete out equal justice to rich and to poor? It is not just that the Government should allow the combinations of the landlords and yet put down with a stern hand the combinations of the tenants, who seek only the protection of their own homes, which are even more dear to them than are the mansions to the rich. It really seems to me that the Government, in pursuing this policy, are anxious to bring about a conflict between the people of Ireland and the armed Forces of the Crown. We hope and believe that the people of our country will stand superior to these temptations. We hope and believe that the democracy, of this country—of your own country—hate and abhor what is being done in unhappy Ireland in the name of law and order. Whatever our belief may be, the Government may be assured of this—that in spite of their Coercion Acts, so long as they fail to protect our people, so long as efforts like those of the Archbishop of Dublin to promote peace are repudiated, so long as the motives of Irish Members are distorted, and so long as overtures which are made to the landlord—and which are genuinely made in the interests of peace—are spoken of as the results of fear and failing on our part, whatever may be the action of the Government, it will be the duty of the Irish Representatives to stand between the people and the oppressors of the people. We claim arbitration; we ask for it, and we are refused it, and therefore we are bound now by organization and combination to protect our people.

*SIR J. COLOMB (Tower Hamlets, Bow, &c.): I do not want to detain the House more than one or two minutes, but there are a few points with which I should like to deal. The right hon. Gentleman who moved the Motion for the Adjournment, made a distinct statement that the meeting which was suppressed in Cork was not in support of the Plan of Campaign; and immediately afterwards he proceeded to show the House that it was, for he said that the meeting had three objects, one of which was to sympathize with the tenants on the Ponsonby estate. He will not deny, surely, that the Plan of Campaign is at work on that estate. He will not deny that the tenants there are really the "pawns" that are being played by the party of agitation in this game in Ireland, and therefore it is in support of the game of agitation, through the Plan of Campaign, that the meeting was intended to be held in Cork. And then he proceeded to say that the meeting was to protest against the treatment of the tenantry, while, finally, he spoke about the democracy supporting this view. I venture to think that the democracy are far too intelligent to be led aside by such statements, which fatally contradict one another. We hear a great deal of the homes and the roofs of the tenants on the Ponsonby estate. We are told that the tenants are to be thrown as outcasts on the charity of the world. Well, Sir, if they are, they have only the Plan of Campaign to thank for it. Undoubtedly, the meeting in Cork was to have been held in support of that Plan of Campaign, and any one who knows Ireland, knows perfectly well that that was really the whole and sole object of the meeting. I, for one, congratulate the Government upon at once suppressing a gathering which was intended to intimidate the tenants on this estate, because it was feared that they were

beginning to find out that they had been the dupes of agitators. It was in the interests of peace, order, and commonsense that a meeting calculated to produce great excitement and terror should not be permitted to take place. We are told a great deal about the Ponsonby estate and the serious excitement which it is causing throughout Ireland. But allow me to point out that, on the showing of hon. Members opposite, it is merely a matter of a sum of 6s. 1½d. a year which is causing all this difficulty, and that proves that if only people would abandon oratory for arithmetic, Ireland would soon become more prosperous. We want in Ireland to look at these matters from a businesslike and rational point of view. I will take the statements of hon. Members who support the Plan of Campaign. The number of tenants on the Ponsonby estate.

*MR. SPEAKER: Order, order! The circumstances of the tenants are not before us. The right hon. Gentleman asked leave to move the adjournment on a matter of definite and urgent public importance, and the details of the relations between tenants and landlord on the Ponsonby estate cannot now be discussed.

*SIR J. COLOMB: I am sorry, Sir, I infringed the order of debate. What I wished to say, and what I am certainly not going to say, but may be in order in indicating, is that according to the speeches we have heard, the beginning of all this trouble was the Plan of Campaign on the Ponsonby estate. Mr. O'Brien and those who work with him produce unnecessary public excitement. It is notorious to every man who reads the newspapers that these matters are arranged from day to day by right hon. and hon. Gentlemen opposite. It is to their interest to secure as much theatrical effect as possible. They therefore avoid the police until such time as the arrests may be made in a manner most calculated to produce a great dramatic effect. I know this is not in the true interests of Ireland, and I, for one, protest against these great Sunday meetings got up to promote the Plan of Campaign, and which afford an excuse to numbers of men calling themselves *bonâ fide* travellers to get drink. I most heartily congratulate the Government on their firmness. The hon. Member who represents South Hunts is respected and loved by his tenantry in the South of Ireland, and I know more than that, for I say he is at the head of the only sort of movement—the Cork Defence Union—that can settle Ireland—a movement to meet combination with combination. It is only by such means that the equilibrium can be established. We must adopt in Ireland, on agrarian questions, the programme which was adopted in England on industrial questions. Trades unions were formed, and they were met by combinations of capitalists and employers. Both combinations worked lawfully, and if we are to have peace in Ireland, those who are responsible for advising the tenants ought to refrain from dragging politics into the matter. They should act within the law, and treat the question as a business one, and if both tenants and landlords respectively combine within the law, then we shall get an equilibrium which will save the time of the House, and make Ireland what she ought to be—a peaceful and prosperous country.

MR. T. P. O'CONNOR (Liverpool, Scotland Division): I rather commisserate the Chief Secretary on being compelled to listen to the defence of his policy which has just been offered by the hon. and gallant Gentleman, who could not have put our case against the Government in a more pregnant and apt form. The hon. and gallant Gentleman lays down the principle that combination must be met by combination. Sir, that is exactly the principle which we seek to establish. Our allegation is, and the hon. Member opposite has admitted the truth of it, that there is a combination of landlords to meet the combination of the tenants, and the difference between the two combinations is, that the one in which the landlords are concerned has the sanction, approval, and encouragement of the Government.

*SIR JOHN COLOMB: What I referred to was lawful combination.

MR. T. P. O'CONNOR: I will deal with that point presently. The hon. and gallant Gentleman is one of those orators who always spoils his case, the more frequently he speaks. The combination of the landlords against the tenants is sanctioned and stimulated by the Government, whereas the combina-

tion of the tenants has to fight, not against the law, which is an abuse of terms, but against a prostitution of the law in the shape of a law especially made in the interests of landlords and administered by resident Magistrates who are the creatures and servants of a landlord government. The right hon. Gentleman, the Chief Secretary, has confined his participation in this debate to smiles of contempt and derision, and that is the style in which he is accustomed to discharge some of the most painful and serious duties ever administered in this country. What is all this talk about lawful combination? There is only one law with regard to combination in Ireland, and that is the law laid down by the Chief Secretary and his creatures, and which comes to this, that a combination by landlords in any shape or form is lawful, while a combination by the tenants is unlawful. I must express my surprise that the hon. and gallant Member should not have modestly refrained from taking part in this debate. If I had placarded the streets of London with "Colomb and no Coercion," as the hon. and gallant Member did, and had been returned to this House by means of pledges against coercion, I would at least have had the decency to remain silent instead of supporting coercion by speech. The hon. and gallant Member may think it was his lofty intellect and fascinating rhetoric that secured his election. I venture to inform him it was the promises and pledges to resist coercion which returned more than one-half of the Members on his side of the House. But I pass from the hon. and gallant Member, who is a somewhat insignificant figure in this matter, to the hon. Member for South Hunts, who wants to defeat the combination of tenants on the Ponsonby estate, not because he thinks their demands are unjust, but because he desires to wreak vengeance on them. The hon. and gallant Member opposite just now implored us not to introduce politics into this matter; yet the hon. Member for South Hunts gives political vengeance as the sole reason for his interference. The hon. Member for South Hunts is perfectly free to wreak his vengeance on the tenants upon the Ponsonby estate if he can; he is free in London to raise subscriptions for the purpose, although I do not envy him the task of collecting funds with which to drive Irish tenants into the workhouse; he is perfectly free to do all that, but the man who, on the other hand, tells the tenants to stand by each other, does so at the peril of his liberty and his life. Mr. O'Brien will no doubt get four or six months' imprisonment for doing on the side of the tenants what the hon. Member opposite for doing on the side of the landlords will probably get a seat in the House of Lords for. The hon. and gallant Member for North Armagh the other night favoured us with an oration in which he justified this interference on the ground that the landlords' interests in Ireland are identical; but surely if the landlords in different parts of Ireland are justified in combining for such a reason, the tenants have equal rights, for their interests are also identical. What is going on in London at the present moment? I am going this evening to a meeting of the tramway men on strike, and the hon. Member for Peckham is going there also. We are going to encourage the combination of workers against what we consider to be the extortion and exaction of their employers. In doing that we shall be within our legitimate right. How can it be said, then, that Mr. O'Brien has not a right to go down to the Ponsonby estate and defend what he regards as the just rights of the tenants? By the sixth section of the Coercion Act the Lord Lieutenant is empowered to put down an association if he is convinced that it interferes with the administration of the law or disturbes the maintenance of law and order. Well, Sir, the disturber of law and order who interferes at the auspicious moment when the landlord and his tenants are about to settle their difference, and who destroys the hopes of an amicable settlement is the hon. gentleman opposite, the Member for South Hunts. It is all nonsense to talk about Mr. O'Brien interfering. He only interferes now because the negotiations have broken down, because the gentleman who represented the landlord was not permitted to consummate the peace already practically concluded. The man who interfered and introduced disorder and disturbance is, I repeat, the hon. Member for South Hunts; he is the representative of the landlord combination, and I await the action of the Lord Lieutenant in putting

down the combination which is preventing the maintenance of law and order. We now have combination against combination, and the Government ought to stand impartial between the two parties, instead of which they take sides against the tenants and in favour of the landlords. The proceedings on the Ponsonby estate are an object-lesson to the people of England, who are thus enabled to test the assertion that the law is the same in England and Ireland and that combination is equally free in both countries. On account of the value of that object-lesson, on account of the opportunity it gives the English people of judging what the Government policy in Ireland is, I offer my sincere thanks to the Government for the brutality of their excesses in Ireland.

*Mr. PIERCE MAHONY (Meath, North): I wish to draw the attention of the House first to the silence of the hon. Gentleman the Member for South Hunts, who has had several opportunities of rising to address the House, and then to the silence of the Chief Secretary. The charge brought against the Government on this occasion is that they deliberately provoked a riot on a platform at a railway station, and that in that riot a Member of this House was seriously injured, and the only answer to that charge comes from the Solicitor General for Ireland, who says that the Irish Members are very difficult to please because if you arrest them in the middle of the night they complain, and if you take them in broad daylight on the platform at a railway station they also complain, and that is I suppose to be considered a sufficient answer in this House to a charge of producing a riot in a public place in Ireland, and of inflicting severe injury upon a Member of this House. A grave charge has been brought against the Government, and they have dealt with it in a most flippant manner. Our objection to arrests in the middle of the night is that they disturb the other inmates of the House where the arrest takes place. We have raised no objection to arrests in the middle of the day if made in a proper manner, but our allegation is that on this occasion the arrest was purposely made in a railway station to which a large crowd had gone for the purpose of welcoming the hon. Member for North-East Cork, who was taken into custody in their presence most unexpectedly. Simultaneously with the arrest the police proceeded to baton the crowd, and while they were so acting an hon. Member of this House was severely injured. The Solicitor General for Ireland has pleaded the impossibility of getting any information in so short a time. That is an excuse which we have heard over and over again. When a question is asked on an important matter, the usual course of procedure is for a Member of the Government to say he has had no time to get the information, and after a short interval we see the familiar figure of the First Lord of the Treasury coming in to move the closure. It is an extraordinary fact that Members on this side of the House can get information, while Members of the Government are utterly unable o get it. I should have thought that the telegraphic system of the country would have been sufficient to have transmitted the necessary information in the course of twenty-four hours. The only information they produce about the proceedings of yesterday —is, I venture to say, discredited by internal evidence—is that the police fired shots from the railway carriage because shots were first fired at them. I have no doubt that, in due course, the bullets will be produced, and it will be proved beyond contradiction, according to the Chief Secretary, that they must have been fired into the carriage. After the experience at Mitchelstown no intelligent constable will go without a stock of bullets in his waistcoat pocket ready for any emergency. What an unlikely story this is. A number of men are drawn to the station at Charleville for the purpose of showing their sympathy with Mr. William O'Brien; and we are asked to believe that they fired into the carriage, and ran the risk of killing the hon. Member. There is no mention whatever that the people fired on the police in any of the newspaper reports. We have a right to demand from the Chief Secretary some answer to the accusation that a riot at Cork was deliberately produced, and that an hon. Member of this House suffered injury during the riot. Suppose an Irishman believes a meeting to be illegally proclaimed, what remedy has he? His only remedy is to go to the meeting, have his head broken, and then take an action for

damages. There is where the difference between England and Ireland comes in. If we test the legality of the action of the Government, we have to go before a prejudiced Court. It is impossible to oppose the Government through the ordinary constitutional channels in Ireland. We have been bound to adopt other methods—combinations like the Plan of Campaign. We are told that Mr. O'Brien is charged with promoting the Plan of Campaign in his speech of yesterday week. I maintain that he was not, but that he was denouncing the conduct, and rightly denouncing, of the hon. Member for South Hunts—the cruel conduct of the Member for South Hunts—who prevented a settlement on the Ponsonby estate through stepping in at the moment a settlement was about to be made. The hon. Member (Mr. Smith Barry) has shaken his head several times during the course of this discussion. He has had the opportunity of rising, but he has not taken it.

MR. JOHNSTON (S. Belfast): He was about to rise to speak.

MR. MAHONY: The hon. Gentleman has shaken his head several times. I watched him very carefully, and he made no effort to rise to speak. He will have another opportunity, which I hope he will take. Mr. O'Brien's speech yesterday week was for the purpose of protesting against the action of the hon. Member for South Hunts. The doctrine laid down now is that because the tenants on any estate adopt the Plan of Campaign, that is to be a reason why no one should sympathize with them. No matter how they are treated on any subsequent occasion. Supposing the right hon. Gentleman sends down a large force of police and military, and these people resist during the evictions, carried out in a perfectly unnecessary and harsh manner, and are shot down. Are these people to have no sympathy because they have joined in an illegal combination? Are the landlords in Ireland to be allowed to combine to lay waste every estate in the country which has come under the Plan of Campaign? Is that sort of combination to be perfectly legal, while no one is to be allowed even to sympathize with those who have joined the Plan of Campaign? This House, for all the people of Ireland care, may sanction what it pleases. We look forward to a better House at no distant date. The hon. and learned Member who spoke from that Bench seemed to look forward to some settlement of the Irish Agrarian Question. I could not make out how it was to be brought about, but I gathered it was to be by some sort of combination on both sides. Might I remind the House, however, that on every single Plan of Campaign estate in Ireland the tenants are perfectly willing at this moment to submit their case to arbitration. That has been brought home to me in a practical manner within the last few weeks. Only within the last two or three days I have returned from taking part in an arbitration on a large estate in the West of Ireland. That estate, in past years, had a very evil name. Now, I hope it is going to change that name, as it has changed its proprietor. What was the method of procedure in that case? Arbitration was suggested, and the tenants immediately accepted it. I refer to the Pollok estate. They chose me as their representative. The son of a Galway landlord—Mr. Gregory Eyre—was chosen as the representative of the landlord. We have both made our examination of the land, after having appointed as umpire one of the chief landlords in Galway, Mr. Christopher Redington. We shall shortly meet for the purpose of considering our award. I hope that saner, wiser, and more humane counsels may yet guide landlords; for if it were so, I believe the remaining disputes could be settled within six weeks in Ireland.

MR. SMITH BARRY (South Hunts): Sir, charges have been made against me with regard to my action on the Ponsonby estate. They are the same charges as were brought against me the other night by the Member for the Rushcliffe Division, against whom I have not one word to say in respect of the manner in which he brought forward his charges. He made his statement in a straightforward and manly fashion. Everyone of the charges I answered at the time categorically and unequivocally, and I maintain I absolutely disposed of them. I am not going again to reply to those charges; but if any hon. Member wishes to have answers to them, and to ascertain the real facts, let him refer to *Hansard* or the columns of the public papers.

MR. T. W. RUSSELL: I wish to ask the Solicitor General for Ireland whether a police officer who is armed with a warrant for the arrest of any person is at liberty, after the warrant has come into his possession, to choose his own time for the arrest of the person, or whether he is not bound to execute that warrant with all despatch?

*MR. MADDEN: There is no doubt that it is the duty of a person charged with the execution of a warrant to execute that warrant with due diligence.

MR. GILL (South Louth): Since the question of the execution of the warrant has been referred to, I would point out that the Government have over and over again, in the course of the proceedings for the arrest of persons under the Crimes Act, delayed the execution of the warrants for indefinite periods of time. In the County of Wicklow recently, for weeks the police did not execute the warrants on two priests, who were daily passing under the eyes of the officers. The other night it was announced by the right hon. Gentleman that there was a warrant out for myself and one of my Colleagues, and that the warrant had been issued several days before. I have been walking about in rather an uncomfortable position, I must confess, with this warrant hanging over my head, and every moment expecting to have my liberty suspended. I suppose the opportunity will be embraced to arrest me at some railway station or public meeting at which I may be present. The Government are to be congratulated that at length the hon. Member for whom this dirty and villainous work has been carried on in Ireland has got up to say something in his own defence. I think the tenantry, against whom all this machinery of destruction is being applied, have a right to congratulate themselves on the character of the reply which the hon. Gentleman has given. In the whole course of this Parliament I do not think there has been a defence more ludicrous or grotesque than that which the hon. Gentleman had the impertinence to make. ["Order!" and "Withdraw!"] I am in order. I call it an impertinent manner of putting arguments forward in this debate to refer hon. Members to what took place another evening, and to pass over two hours' discussion to-night as unworthy of further notice. The result of the debate the other night was of a very different character to that which the hon. Gentleman has described. He did not dispose of any of the series of tremendous allegations made against him. On the contrary, everything said against him was proved up to the hilt. A deputation of his tenants is to wait upon the hon. Gentleman to-morrow, when I trust he will give a more satisfactory reply than he has now given, or I promise him that the reply of the tenants to him will be far more effective than that which he has given. The whole question is whether the people of Ireland have a right to live in Ireland, or a right to defend themselves against the extraordinary oppression of the landlords. We saw yesterday an enormous meeting in Hyde Park, held in perfect safety, without interference of police or troops. That meeting applauded the Plan of Campaign, and the resistance to the right hon. Gentleman's tyranny in Ireland. The strike of tramway men, which is now going on, is not merely without interference, but has the protection of the authorities. That very strike affords an exact parallel to what has been done by the tenants of the hon. Gentleman opposite, and what the Government have endeavoured to prevent in Ireland. The *employés* of the Tramway Company are joined in a combination. They are very well treated by the company. They were written to by one of the directors ——

*MR. SPEAKER: Order, order! The relations of the tramway directors and their servants has nothing whatever to do with the question.

MR. GILL: I am endeavouring to point out that the meeting at Cork had an object exactly similar to that of the tramway *employés* here, yet the latter are protected in their action by the Government. But in Ireland, when the people combine in self-defence, the whole forces of the Government are put in operation against their combination, and everybody who defends their cause does so at the risk of losing his liberty, or his life, or his limbs. The simple object of the meeting addressed by the hon. Member for Cork was simply to bring public opinion to bear on the iniquitous proceedings of the hon. Gentlemen opposite, and of the Government in collusion with him, that being the only means of keeping the people of

Ireland from rushing into the methods of desperation and crime. The Government, in putting down that meeting and in their subsequent action, have taken a course, the direct consequence of which must be the counsels of desperation, unless the people are enabled to combat the action of the Government by devices of their own. My hon. Friend has endeavoured to hold meetings in Ireland for the purpose of keeping alive public opinion, and if meetings are not allowed they must be held by strategy, even if in the middle of the night. An hon. Member, who represented the landlords, said they were going in for combination, and that it would be a question of combination against combination. Let it be so. The tenants of Ireland are well content to pit their combination against the landlords' combination. We do not question the right of the landlords to combine. Let the tenants combine. Let the Government stand aside, and let them not throw their power and force on the side of the oppressor and against the unfortunate people who are simply struggling for the right of existence in their native land.

MR. GLADSTONE (Edinburgh, Mid Lothian): Mr. Speaker, I do not propose to detain the House for more than two or three minutes, nor is it my intention to say anything which, so far as I myself can judge, will cause a prolongation of this discussion. It would appear to me, after having listened attentively to the whole case, that very serious allegations indeed have been made, and those allegations have not met with a reply. The hon. and learned Gentleman the Solicitor General has observed, and not without truth and justice, that we are now discussing the occurrences of yesterday evening, and that the Government are not in a position to lay full information which, as he considers, and as I think, would be necessary for a discussion. Provided that observation be not intended, and I do not think it can be intended, as a reason against the discussion of these matters, I, for my part, am disposed to give way to him. I do not feel at the present moment in a position to enter fully or satisfactorily into the points which have been raised. But Her Majesty's Government must not be surprised if, upon another occasion, they should hear of this matter again. I need only enumerate a few of them. There is the question of the arrest of Mr. O'Brien at the railway station, a subject which, in my opinion, deserves and requires explanation. There is then the batoning of the people, as it is alleged, wholly without provocation. There are the injuries alleged by the Lord Mayor of Dublin to be dangerous, at any rate to be serious, and alleged by him and by others to have been inflicted apparently without any just or sufficient cause upon a Member of this House. Lastly, there is the allegation, by no means the least serious, perhaps the most serious, of all, that the police fired shots out of the windows of the railway carriages; in respect of which the Solicitor General states that he is informed that shots had been previously fired at the train by some of the persons in its neighbourhood. The Solicitor General, no doubt, attaches weight to that information. It is quite evident that there is something very strange in the fact that the firing of these shots did not attract the notice of the reporters. These are all matters which deserve the attention of the House and the Government, and upon which—as the hon. and learned Gentleman the Solicitor General for Ireland has admitted by implication—further information is necessary, and is rightly asked for.

*THE CHIEF SECRETARY FOR IRELAND (Mr. A. J. BALFOUR, Manchester): I need hardly say I have no objection to the tone of the right hon. Gentleman's remarks, and I have not much objection to the substance of them; but I do not wish the House to come to a Division at this point with the impression left on their minds, which I gather the right hon. Gentleman desires to convey—that there is a *primâ facie* case against the Government, which it requires further information to dispel. That is not a fact. Of course, the more time we have to obtain information the more information we shall get, and the more information we get the more fitted the House will be to discuss the matter. But let no hon. Member suppose that there is, in my opinion, at all events, the slightest *primâ facie* case against the police or the executive. The right hon. Gentleman, following in that the example set him below the Gangway, made his first remark in relation to the circumstances under which the arrest of Mr.

O'Brien took place. The right hon. Gentleman appears to forget that Members sitting in that part of the House have not shown any willingness in the past to present themselves when required before Courts of Justice; neither have they rendered it easy for the police to carry out a painful though a necessary duty. But, on the contrary, in many cases—I am far from saying in all—they appear to have been actuated principally by the desire to make the work of the police as difficult as possible, and the danger attending the incidents of arrest as great as it can be made. Hon. Gentlemen below the Gangway opposite have very freely launched this accusation at the Government, that their one desire was to provoke a breach of the peace which might possibly result in the murder of a policeman or destruction of life among the assailing crowd. Sir, I can assure the House that no one has experienced greater trouble and anxiety from such scenes than myself; and if I may judge of the use hon. Members make of them I should say there are no people who are more sensible of the political and party advantages which they can extract from these scenes than hon. Members opposite. The right hon. Gentleman, in dealing with the incidents which happened at other railway stations than Cork subsequent to the arrest of Mr. O'Brien, did not appear to see the significance of those incidents. The Government are told that they ought not to have arrested Mr. O'Brien because he was at a railway station, where it might have been expected there would be a hostile crowd. Had the Government any reason to believe that there would be a hostile crowd at the other two railway stations, or that there would be a rescue attempted there? Are not the incidents which occurred at Mellor and Charlerith a sufficient indication of the difficulty of dealing with cases of this kind without running some risk of an encounter between the mob and the police? Let me further point out to the right hon. Gentleman that when he says there is no justification in the facts as we know them for the bâton charge made by the police, that does not accord with the information which I have derived from official sources in Ireland. It appears that the crowd at Cork was very large and very excited; that the force of police was not a very considerable one; and that it was only when the crowd began to surge forward in a dangerous manner, and when it was apprehended that a rescue might be effected, or that it would be impossible for the police to effect the arrest—it was not till then that the police officer in charge gave the order to the police to clear away the crowd. It was when this crowd was being cleared away, as it had to be cleared away, that these incidents occurred—incidents which are, no doubt, regrettable, but for which, not the police and not the Government, but the crowd, and those who led the crowd, were primarily responsible.

MR. SEXTON: No one led the crowd.

*MR. A. J. BALFOUR: Then I will say the important leaders of public opinion on the spot. I did not desire to speak in this debate; but as I am on my legs I cannot allow to pass absolutely without a word of comment what, after all, has been the chief topic urged by speakers on the other side of the House. Nominally, and in the terms of the Motion, this is an attack on the Government; really and substantially it is an attack on my hon. Friend below the gangway (Mr. Smith Barry). His alleged misdoings have afforded the chief theme for the oratory we have heard to-night. And what is the substance of the accusation? It is that my hon. Friend has interfered between Mr. Ponsonby and his tenants, and this accusation is hurled against him by gentlemen whose chief occupation in life it is to interfere between other landlords and their tenants. I have been told that I interfere with combination of the tenants, and that I ought to interfere with combination of the landlords. I do not care how much tenants combine or how much landlords combine. If I were a tenant in Ireland, and I found landlords in Ireland combining against me, I would combine against the landlords. If I were a landlord in Ireland, and found the tenants combining against me, I would combine against the tenants. With all these combinations the Government have no more concern in Ireland than they have in England. It is only when the combination is illegal in its

essence and illegal in its methods that the Government steps in and says, "You shall neither have your illegal combination, nor shall you enforce it upon the unhappy tenants by illegal methods." Then alone the Government interferes, and we should be utterly wanting in our duty if we did not do so. But let me remind the House, on the subject of this Ponsonby estate, that the terms which have been offered by the new owners of the property are terms to which it is impossible to object, and to which even the severest critics of my hon. Friend have not objected.

MR. SEXTON: We have objected.

*MR. A. J. BALFOUR: The right hon. Gentleman has objected to a great deal that has been done by my hon. Friend; but he has not objected to these terms. I turn to the letter of the Archbishop of Cashel—not a creditable letter in my opinion—on the subject. The Archbishop does not allude to the fact that the new owners of the estate have offered the tenants to go into Court to have the rents fixed by a tribunal, established by the law of the land, that they have offered, by capitalizing the arrears and charging 3 per cent on the amount so capitalized, to deal with the arrears in a manner which will make it most convenient to the tenants to meet their obligations; and that they had further offered to make any diminution which may be made by the Land Courts in the existing rents retrospective over the whole period for which the rent is in arrear. These are terms in their essence obviously just and liberal, and my hon. Friend, who is attacked in this matter, represents in the eyes of the public, it must be recollected, the new owners of the estate. He has behaved to the tenants upon this estate with a judgment and liberality which I should like to see followed by every landlord in Ireland.

The House divided:—Ayes 128; Noes 212.—(Div. List, No. 163.)

ORDERS OF THE DAY.

—o—

UNIVERSITIES (SCOTLAND) BILL.

(No. 137.)

Considered in Committee.

(In the Committee.)

Clause 14.

SIR G. CAMPBELL (Kirkcaldy): I beg to move the Amendment standing in my name to enlarge the powers of the Commissioners, so that it shall be competent to them "to abolish any faculty" in any University which they may find to be unnecessary. By this Amendment the Commissioners would be able to get rid of any faculty—whether theology, medicine, arts, or anything else. I merely wish to lay down the general principle, that if a faculty is unnecessary there should be power to abolish it.

Amendment proposed, Clause 14, page 10, line 36, after "faculties," insert "to abolish any faculty."—(*Sir G. Campbell.*)

Question proposed, "That those words be there inserted."

*MR. CAMPBELL-BANNERMAN (Stirling, &c.): I would ask the Lord Advocate to say whether he does not think this is already provided for in that part of the Bill which gives the Commissioners power to alter the number of faculties, and to transfer Chairs from one faculty to another? I think, if it is not provided for, the arrangement should be completed by giving this power to extinguish a faculty if it should be considered desirable.

THE LORD ADVOCATE (Mr. J. P. B. ROBERTSON, Bute): I do not think it is provided for in the Bill. I deprecate the suggestion of abolishing faculties. The general tone of the discussions has been that it is desirable to maintain and not to diminish or abate the teaching powers of the Universities. Moreover, I submit this is not a convenient way of raising the question or of suggesting to the Commissioners that they should have such powers as to be able to extinguish a whole faculty. I cannot conceive from what point of view the hon. Member for Kirkcaldy regards this question looking at the other Amendments on the Paper in the name of the Member for the town of Aberdeen and the Member for East Aberdeenshire. The hon. Member's proposal seems to be opposed to the views of these hon. Members. I do not think it desirable that the Motion should be passed. The hon. Member has an objection to the tests and consequently to the Faculty of Theology, and it would

seem that he desires, by giving the Commissioners power to extinguish so great a part of the life of a University as a whole faculty, to attain his object in an oblique way.

*MR. CAMPBELL-BANNERMAN: I do not think it would be desirable to single out the Faculty of Theology and suggest its extinction. I have given my views with regard to the tests already, but to lay it down as a principle that theology is not to be taught in any University under any circumstances would be a thing I should not be prepared to support. I should have thought, however, that to give the power contained in this Amendment would have tended to complete the whole sphere of the powers of the Commission. As the power is not likely to be exercised in the way desired it would perhaps be as well if the hon. Member withdrew the Amendment.

SIR G. CAMPBELL: I do not think my Amendment is antagonistic in any way to the Faculty of Theology. It is of a clear and simple kind. I do not refer to the Faculty of Theology, but let us take the Faculty of Medicine, for instance, say at St. Andrew's. I think the time has come when the faculty should be done away with. It may be that there are institutions which may properly give degrees in medicine after examination, but much as I admire St. Andrew's, I do not see why people should have to go to a remote part of the country projecting into the North Sea, in order to take a degree in medicine. I should be the last to advocate the abolition of the Faculty of Medicine; that is not the chief end of my Amendment, but I want the Commissioners to have power to abolish any faculty if they deemed it expedient. My Amendment is general in its terms: I do not desire to exclude any particular faculty; I only want the Commissioners to have power to inquire into the matter.

DR. FARQUHARSON (Aberdeenshire, W.): I should have had no difficulty in supporting the Motion of my hon. Friend if it had not been for the portion of his remarks which shows that he wishes to abolish the Faculty of Medicine at St. Andrew's, in the interests of Dundee. If they have not been able to do good work in medicine at St. Andrew's, it is because two more Chairs are required there.

SIR GEORGE CAMPBELL: Nothing could be further from my mind than to prefer Dundee at the expense of St. Andrew's. My sympathies are all in favour of the University. I only wish that the Commissioners should have power to inquire into the desirability of continuing the faculty.

MR. BUCHANAN (Edinburgh, W.): I should like to point out that the object of the Amendment is not to destroy any particular faculty in any particular University, but it is to give the Commissioners full power to abolish existing faculties if after inquiry they deem that course expedient.

The Committee divided:—Ayes 96; Noes 157.—(Div. List, No. 164.)

MR. BRYCE (Aberdeen, S.): I now beg to move an Amendment, the object of which is to provide that in the election of the rectors of the Universities of Glasgow and Aberdeen, the election shall be determined by a majority of the votes of all the students voting, whenever the votes of the nations shall be equally divided. I think the feeling of both the Universities is in favour of keeping the institution of the nations, and the Amendment I have proposed will retain voting by nations, but will provide that in cases where the nations are equally divided, the election shall be decided by the majority of the votes which are recorded.

Clause 14, page 10, line 40, leave out from "the matriculated," to end of sub-section, and insert—

"The election shall be determined by the majority of the votes of all the students voting whenever the votes of the nations shall be equally divided."

Amendment agreed to.

MR. HUNTER (Aberdeen, N.): The Amendment which comes next has for its object the provision that no fee higher than three guineas shall be charged in any class to be hereafter established; and I hope that the Government will offer no objection to the introduction of the provision.

*MR. J. P. B. ROBERTSON: The hon. Gentleman, I have no doubt, rightly desires that the present low fee shall be retained in the number of classes to which access is now had by poor students; thanks to their exceeding cheapness as well as the excellence of their education. But there are other classes where a

higher scale of fees is appropriate, and where they produce no hardship, because a larger amount of time is devoted to the course of the study.

MR. HUNTER: Will the Government accept the Amendment, if it is modified so as to be restricted to the Arts Faculty?

*MR. J. P. B. ROBERTSON: I think it would be better to leave the matter in a general sense. We had better keep the present flexible rule, and I do not think any one is likely to object to it.

Amendment, by leave, withdrawn.

SIR GEORGE TREVELYAN (Glasgow, Bridgeton): I have an Amendment on the paper to omit Sub-section C, which empowers the Commissioners to regulate the compensation to be paid to existing professors, whose interests may be injuriously affected by ordinances made under the Act. The amount of funds available for the Universities under the Bill is very limited, and it is therefore exceedingly important that it should be utilized as far as possible. But that cannot be done if it is not in the power of the Commissioners to abolish useless Chairs, and to apply the funds thus obtained to other purposes. I trust that the Lord Advocate will be able to assure the Committee that the Government will at least on the Report stage give the Commissioners power to effect the object. I think it would be a great convenience if the Government could at once give an answer in the affirmative.

*MR. J. P. B. ROBERTSON: I think it is in every way desirable that there should be a power of suppressing useless Chairs, and if there is any question as to the phraseology of the clause as it stands, enabling that to be done, I can only say I think it should be settled at once.

SIR GEORGE TREVELYAN: That intimation modifies my views, and I will not press my Amendment, as I anticipate now that the important reform of abolishing useless Chairs will be introduced.

SIR GEORGE CAMPBELL: I also have an Amendment on the Paper to meet Sub-section C, and my objection to the clause is that it directs compensation to be given to existing professors whose interests may be injuriously affected by the operation of this Act. I admit that something must be done for existing holders, but my point is that an enormous monopoly has sprung up in the case of some professors who have very large classes, which they teach by the aid of assistants, and if every man who is injuriously affected by a change in the system is to receive compensation, I think we shall perpetuate a very great abuse. I would suggest that power might be given to grant a retiring allowance, but it should not be so sweeping as that implied in the clause. I therefore beg to move my Amendment.

Amendment proposed, Clause 14, page 11, line 11, leave out Sub-section C.

*SIR LYON PLAYFAIR (Leeds, South): I think my hon. Friend cannot have noticed the governing part of this clause, which says that the Commissioners shall have power to do certain things. The clause does not make it compulsory on the Commissioners to give compensation, but it only enables them to do so, should they see fit. It is a mild provision, for the Commissioners themselves are to determine whether they will make changes which in some cases may require compensation to be given.

SIR GEORGE TREVELYAN: I very much hope that my hon. Friend the Member for Kirkcaldy will not divide the Committee on this Amendment. I believe there is no Member of this House who, providing that a Chair is abolished, would hold that no compensation should be given to the holder of it. But there are a great number of Members who think that if the too large classes, which at present exist in some of our Scotch Universities, were considerably diminished by counter attractions, there would be no necessity for payment of any compensation whatsoever. I, therefore, trust my hon. Friend will withdraw his Amendment, especially as a subsequent one is calculated to attain the object which we have in view.

SIR GEORGE CAMPBELL: I must confess I cannot look on this clause without some misgiving, but as I understand that the subsequent Amendment, which deals with the same subject, will be favourably considered, I shall be quite willing to withdraw it.

Amendment, by leave, withdrawn.

MR. HUNTER: The Amendment I have now to propose is to limit the effect of what seem to me dangerously wide words. The clause provides for compensation to professors whose interests may be injuriously affected. I wish Parliament to be liberal in the matter of compensation where any professor has a right to complain, and I think we may say that whether by express language or not a professor in a Scotch University has a right to be the sole authorized teacher of his subject within his University. Therefore, I think that if we appoint a new professor to work alongside the present professor, it would be legitimate ground for compensation. But when we come to the question whether a professor has an absolute right to compel students to attend his class, merely in order that he may teach them, we stand on different ground. I do not think there is anything in the history of the Scottish Universities that would justify the granting of compensation to a professor merely because by a change affecting the curriculum the number of persons attending his class might possibly be diminished. Then, I understand, compensation is to be given in advance on an estimate of what the injury may be. I doubt whether there will be a diminution in the attendance at classes. At all events, the fact cannot be ascertained until after compensation is given; therefore Commissioners would be in this difficulty—they would be giving compensation in anticipation of an evil which might not arise. If the Government accept the words I suggest, they will not narrow the power of compensation too much.

Amendment proposed, Clause 14, page 10, line 13, Sub-section (c), after "Act," insert,

"But no compensation shall be paid merely because in consequence of new regulations affecting bursaries or degrees the number of students attending a professor's class may be diminished."—(*Mr. Hunter.*)

Question proposed, "That those words be there inserted."

*MR. J. P. B. ROBERTSON: This is a somewhat important question, because it is very desirable that the Committee should remember that one of the chief impediments in the way of University reform would be aggravated if we told the Commissioners that every step they take up the direction of improving or modifying the curriculum is to be attended with this, that they may do immense pecuniary damage to the professors. I strongly deprecate the Committee taking such a course. The effect would be to paralyze the reforming action of the Commissioners. The endowments in the case of the classes we want chiefly to reform are infinitesimal, but the really substantial part of the income of the professors is derived from fees. A man appointed to a Chair holds his office for life, or until an egregious fault. He knows that every man who takes a particular degree, must take his Chair. Does he or does he not accept the position upon the footing that his income is to be looked to in the probable number of students who attend his class? Clearly he does, and it would be most unfair to whittle away the income upon which the professor has alone to depend. Take the possible case of a man who has given up some rich appointment in England, in order to take a Chair in a Scotch University. Would it not be grossly unfair if you were to take from this man a prize, which his learning and eminence have fitted him to obtain, and give him no compensation? Again, if you struck a Chair out of the compulsory course of study, you would have the same thing. Now, I think these men are entitled to compensation, but I do not say how much compensation, or whether it is to occur in all cases. I think the hon. Gentleman rather exaggerated the difficulty of fixing the compensation. Lawyers know that very often tribunals have to determine beforehand the compensation to be paid for the probable result of future occurrences. You do it more or less in the dark, and I firmly hope as the hon. Gentleman does that in many cases, the compensation awarded ought not to be so much, and I say will not be so much, because, in the first place, on the one hand you abstract the necessity of students resorting to a particular class, and in the other hand it is very likely the effect of your reforms generally will be such that the number of students at the classes will be kept up. Every competent arbitrator will have all that before him, and I earnestly hope the Committee will exercise great caution in

not accepting one side of the account, but will very carefully scrutinize how far they are going on the solid ground of reasonable expectation in giving compensation. It is not merely the attendance of students by reason of necessity that fills a man's class. His own merits and mental vigour bring students to his class. A man for one reason or another, gets lazy, or old, and his power of attracting students fails. That, of course, will be taken into account. I hope the Committee has observed I am not anxious to raise too high the hopes of the professors, or to fix too stringently the duty of the Commissioners in regard to the Compensation Clause. They are to take into account all the circumstances of the case, both those which tend to show that injury is done to the professor, and also those which tend to show that the injury is comparatively light, or may be compensated for from other sources.

*MR. CAMPBELL-BANNERMAN: I am not able to go by any means the whole length the Lord Advocate goes on this subject. I do not feel to the full extent he does the strength of his argument from the point of view of the absolute vested interest, as it were, of the professor, but there are two considerations that weigh considerably with me in the matter. In the first place, if we provide no means of giving any compensation at all to one of these professors whose income is materially reduced by the operations of the Commissioners, then we should set that professor and his friends in diametrical opposition to the smooth working of the Act, and our object ought to be to secure that the great changes we hope will follow from this Bill will be easily and readily and smoothly accepted. There is also a danger of this, that if there is no means of compensating in cases such as we have been speaking of, the Commissioners themselves, from a delicacy of conscience and kindly feeling, may be adverse to proposing changes which otherwise they would be ready to introduce. My learned Friend proposes that no compensation at all should be granted, merely because of the reduction in the number of students, and at first sight I think that is a perfectly fair stipulation; but, at the same time, it must be remembered there are professors whose emoluments are almost entirely derived from the fees of the students, the salary itself being a small matter. Therefore the professors would be immediately brought under the operation of the considerations I have been speaking of. Under these circumstances I ask the Lord Advocate whether the words of the sub-section cannot be in some way modified so as to make the sub-section have a little less of an imperative appearance. If the Lord Advocate can in any way modify the words so as to imply those very considerations he has himself recited as certain to affect the action of the Commissioners, then that would very materially affect our view of the question, but to leave the words as they stand may open the door to an amount of greed for compensation beyond what Parliament would be disposed to allow.

MR. HUNTER: The situation has changed considerably since the statement of the Lord Advocate, but I hope that before the Report stage he may consider whether some words may not be introduced somewhat limiting the terms, which, at present, seem to me to be rather dangerously wide. I have another reason for withdrawing the Amendment—namely, that I observed that the right hon. Gentleman the Chancellor of the Exchequer uttered the words, "hear, hear," when the Lord Advocate made his observations. This is a question in which the Chancellor of the Exchequer is chiefly concerned, and, if he takes that liberal view, I hope when we come to the question of the sum to be given to the Scottish Universities, he will remember that these Universities require money to carry the schemes into practical effect.

*MR. J. P. B. ROBERTSON: I rise for the purpose of saying that I shall undertake before the Report stage to consider the question of terms. It is possible that we may find some such flexible terms as will meet the views of hon. Members, whilst at the same time adhering to the views we have expressed.

SIR G. CAMPBELL: I do not think the promise that has been made is sufficient. I think the Lord Advocate still maintains the high and dry doctrine that as far as a man is injuriously affected he is entitled to receive compensation, whether his present emoluments

are legitimate or not. I understand the case to be that in many cases a professor receives fees for classes which he cannot possibly teach, and he employs a number of curates to do the work for which he is paid. I think the Amendment of my hon. Friend is not sufficiently radical. They say dog will not eat dog, and apparently professor will not eat professor.

MR. FINLAY (Inverness, &c.): This clause is certainly open to the criticism that the power given to regulate the compensation to be paid to existing professors seems to imply that there is a right to compensation. I would suggest that words should be added at the end of the sub-section to this effect:—"If the Commissioners think such compensation ought to be given."

*MR. J. P. B. ROBERTSON: I am obliged for the suggestion, and will carefully consider it.

DR. CLARK (Caithness): I do not think the Committee should agree to the principle of the clause as it stands now, because if we do every professor will require to be compensated. Any reform will mean competition with the men who are now in some cases occupying Chairs which a dozen years ago they ought to have retired from, and the amount that would be needed for compensation would be twice as much as the Chancellor of the Exchequer intends to give us.

*MR. J. A. CAMPBELL (Glasgow and Aberdeen Universities): May I express a hope that the Chancellor of the Exchequer will give particular attention to what has been said on this subject to-day? I must say that anything that has to be paid in compensation ought to be altogether outside the annual grant given to the Universities.

MR. CALDWELL (Glasgow, St. Rollox): In connection with the Chairs of Greek and English Literature, very serious questions of compensation may arise. I would ask the Government to take care that new appointments should not be made before the passing of the Bill so as in any way to transfer the Commissioners in regard to men who have only held office for a few weeks.

*THE SOLICITOR GENERAL FOR SCOTLAND (MR. MOIR T. STORMONTH DARLING, Edinburgh and St. Andrew's Universities): Special clauses have been inserted in the commissions of all Professors appointed by the Crown for some years past. The Greek Chair in Glasgow is not in the gift of the Crown, and therefore the Crown has no power over the appointment.

Amendment, by leave, withdrawn.

MR. HUNTER: I now beg to move the insertion after "degrees" of the words—

"and the Commissioners shall provide, in respect of the degree of M.A., that due regard shall be had to modern languages and science."

It may be said that the Amendment is superfluous as it is impossible to conceive that any 15 men of intellectual sanity would meet round a table and approve of the present restricted course of the Arts' curriculum in the Scotch Universities. No doubt also the Commissioners would not overlook the fact that the Royal Commission of 1878 reported in favour of options in the M.A. degree. Still this is a question of such vital importance to the students that I feel bound to omit nothing that will secure the attainment of the great object I have in view. I feel that if the result of the work of this Commission is that, as before, Greek and Latin take the place of everything else, and no regard be paid to French or German, or chemistry, or botany, or biology, the Commission will be a disaster to the Scottish Universities. I would remind the Committee that generous founders have left large sums for the education of youth, but those who avail themselves of them are not allowed to take up subjects which are of interest or value to them, but are compelled to go through a certain hide-bound curriculum, with the result that certain professors make large fees which, perhaps, otherwise they would not obtain.

*MR. J. P. B. ROBERTSON: I am entirely in sympathy with the general object of the hon. and learned Gentleman, but I am bound to say that I am doubtful whether his Amendment would not break the symmetry of the Act as far as the latitude afforded to the Commissioners is concerned. I can hardly suppose that the Commissioners would do otherwise than give due and great regard to modern languages and science in framing the alternatives which we

fully expect at their hands for the Arts degree. If, however, we inserted this Amendment we should say that due regard must be paid to two subjects whilst other subjects to which we also wish regard to be paid will be left out, and I am afraid this would tend to some lop-sided arrangement which would not be as rational or liberal as the arrangement they would otherwise make. It is on this ground alone that I deprecate the the introduction of the Amendment.

MR. HUNTER: After what has been stated, I do not think I need press the Amendment to a division.

Amendment, by leave, withdrawn.

*MR. J. A. CAMPBELL: I beg to propose after "degrees," to insert "and the institution of new degrees."

Amendment proposed, Clause 14, page, 11, line 14, after "degrees" insert "and the institution of new degrees."—(*Mr. J. A. Campbell.*)

Question put, and agreed to.

*MR. WALLACE (Edinburgh, East): I may be under a wrong impression, but I certainly have the impression that the Amendment I am about to propose is one of considerable importance. At all events, if I may judge from the nature of the communications that have come to me from different parts of the country, I feel that in moving my Amendment I am not representing my own opinion merely, but am speaking for a large constituency. The Amendment is in these terms. After the word "degrees" I propose to insert—

"And the terms and conditions under which, without discouraging attendance on University or recognized extra-mural teaching, such degrees may be granted to all persons resident in Scotland applying for the same, and proving themselves possessed of the requisite knowledge or skill under whatever circumstances such knowledge or skill may have been obtained."

Now, I do venture to think that the presumption in this case is in my favour, and the burden of proof upon those who oppose my proposal. I ask in the first place why should not this be done? Why should not persons who are possessed of the necessary knowledge or skill be recognized by those authorities who have been commissioned for the very purpose of fostering and certifying learning? I think this is the natural view of the matter; that is how it strikes an unsophisticated mind. The early founders of Universities certainly took this view—for instance, the Bulls issued by the Pope to the two Beatons, Archbishop and Cardinal, in favour of the seat of learning they were creating at St. Andrew's contained powers expressly designed for the purpose of enabling them to recognize and grant degrees to all comers who could prove themselves of sufficient ability, character, and learning; and I believe that in many of the mediæval Universities—I will not say all—the same rule obtained. I may be told that this is a matter of 300 years ago, but I must say that seems to me rather an anile objection. The things that belong to these centuries ago are not necessarily absurd, and all average students of history know that some of the greatest reforms have simply consisted of a return to the early condition of things, in clearing away the superstructural rubbish piled up by human foolishness and stupidity, in order to get at the original foundation. In the University of Dublin, which I may, I believe, safely call a comparatively ancient University, the proposal I am now making to the Committee in connection with Scotch Universities has all along been and is now recognized. Now, from mediæval Popes and ancient Universities it is no doubt a considerable step to this year's deliverance of the Convention of Scotch Royal and Parliamentary Burghs; but I am gratified that I can claim the utterances of this body as an important and impressive deliverance in my favour. I will take the liberty of referring to this deliverance of the Convention of Scotch Parliamentary Burghs and their petition to Parliament on this subject. They "regret extremely there is no recognition in the Bill of extra mural teaching as a qualification for the University degree; they consider that such a recognition would tend greatly to the advancement of education. It is really immaterial, they say, in what particular quarter knowledge is gained if it is possessed; for the academical degree only certifies the possession of this knowledge; it does not confer it." I quote this as a reliable expression of the view taken of this matter by the practical common-sense of the country and along side of this expression of opinion stands the success of such

bodies as the Royal University of Ireland, and the University of London, which, notwithstanding its severe test—and some think it is too severe—still there were 400 graduates at its last public presentation in May, many of them, I may say the bulk of them, depending on their power to pass the test on private study, while others acquired their knowledge at seminaries of a more or less public character; all that to my mind is evidence to show that the plan I venture to propose is one that is desired and approved by people whose intelligence and opinions are entitled to respect. Then I venture to think I am justified in saying that the presumption is in my favour, and that I am entitled to ask why should this not be the case? I call on those who make objection to show their reasons. It is said, no doubt, that it is completely opposed to the Scotch conception of graduation, which is based on a prescribed system of professional teaching. Well, I am inclined for the moment, for the purpose of argument, to admit all that, but what then? If a tree is known by its fruit, I ask how does the University teaching system come out as compared with the non-teaching system? The Scotch advocate has to attend, I believe, four University sessions, to give four years of attendance at the University to his law studies. The English barrister picks up his law where he can and where he likes. But I venture to ask is the average English barrister an inferior creature to the average Scotch advocate? Is the Lord President a superior being to the Lord Chancellor? Then as to whether the general Scotch professorial system is superior to the English tutorial system, if any of my colleagues are going to maintain that the finished English University product is inferior to the same Scotch University product, I, for my part, will not take the trouble to argue with them. I will leave them to discuss the numerous gentlemen of English University education to be met in the Lobby in the course of the next division. I am asked is teaching to be abolished in connection with graduation, and I say not at all; that necessity does not arise at all, the only change will be that the locality of the teaching will be somewhat altered. The demand will always evoke the necessary supply. The English barrister to whom I have alluded is directed in the way to the Law degree by a person who has himself found the way to the Law degree and has taken it. I do not see how this proposal would lead in any degree to the abolition of teaching. It is argued by those in favour of our Scotch University system that it brings together the youth of the country, and by personal contact one improves the other. It is true iron sharpens iron, but that property of the metal is not confined to Edinburgh, Glasgow, Aberdeen and St. Andrew's; it obtains in Inverness, Dundee, Dumfries, Perth, and anywhere else if you only give it the same chance. But I am told the teachers will not be of the best quality. I am not afraid of that consequence if you have a good examination system, and if you have not a good examination system you had better not give degrees under any circumstances. I am entitled to assume that you have such a good system, and given that, I say you will have good teachers, for the most successful teacher will be he who succeeds best in passing his men, and these teachers will be found out by those who really desire to pass. Much is made of professorial inspiration, and I do not deny its existence or value, although mainly in connection with metaphysics and ethics and the classes of speculation. I have never found professors of pure mathematics and practical chemistry to be very inspiring persons. After all the subjects can inspire as well as the professors, and departed genius as well as living mediocrity. If a man can for himself read and reproduce Plato, then I am under the impression that he is just as much obliged to Plato for any enlargement of mind that has accrued to him as he is to Professor Brown, Jones, or Robinson, who may have introduced him to the sage. I think the idea that what I may call graduating knowledge can only be got at by residence in the University has a considerable element of fetichism in it, and owes a good deal of its force to mere custom. The original University type, many of our ancient Universities, it must be remembered, were in existence long before the invention of printing, and as a necessary consequence in that period of the world's history if men wanted to learn anything they resorted in considerable bodies to the teaching of living teachers in local

centres. But surely the invention of printing has very considerably modified the machinery of learning. Yet, notwithstanding these modifications, we still find the idea that wherever knowledge and the existence and possession of knowledge has got to be certified by means of a combination of certain alphabetical characters, then this knowledge can only be got at certain places, and from the lips of certain individuals. That idea still lives on very much in my opinion, in virtue of that same force of custom that still perpetuates the hideous and cruel anomaly of horse-hair wigs in Courts of Justice and other habitats of unreflective conservatism. But after all I am not arguing for the substitution of the London University system for the Scotch University system. My Amendment is carefully guarded by these words: "Without discouraging attendance on University or recognized extra-mural teaching." I do not propose to withdraw a single student who has any fees in him from attendance at professorial classes, or at the instruction given by that somewhat select body of extra-mural teachers whom it is in contemplation to admit to a share in the professorial monopoly; but I do plead for a large class of intellectual men who have no fees in them, who cannot afford residence at the University centres, but whom I still think, both on public and private grounds, it is undesirable to exclude from those learned avocations in which nature has fitted them to be happiest and most useful. I said before on the Second Reading of this Bill, but I ask leave to say it briefly again, that it is to me a very lamentable fact that, not only in England but in Scotland also, the learned professions with their gains and opportunities of happiness and usefulness are practically shut to the poor scholar. The profession of the law where, in virtue of those arrangements by which, for the sake of enriching a few members of a strictly exclusive Trades Union, justice, which is the right of the poor, is practically converted into the luxury of the rich, is closed to the poor student. Medicine, too, though not to the same degree, is to a considerable extent in the same position, and the only learned profession that is open to the poor, and even then only to the upper classes of the poor, is the Church into which accordingly many men drift, in their youth, without due reflection or warning, committing themselves to certain forms and creeds, with which, afterwards, when intelligence and information have grown within them, they discover they are not in intellectual harmony, and are face to face with the temptation to continue a career of deception in regard to subjects in which mankind have the deepest interest. In these very discussions we have seen how access to the learned professions is to be made more difficult by the increase of fees in certain classes, if not all. I desire to amend what I consider a calamitous state of things so far as access to University degree is concerned. I desire if possible to make these, which are the portals to the higher and learned callings, more accessible to the poor, and I think this can be done without trenching on the prerogative of the professoriate in respect to teaching, by the simple device of making the non-residential student wait a longer time for his degree than the residential student. This arrangement you can in a way defend by saying that the residential student may be presumed to have the highest class of teaching, and so far, therefore, may be presumed to get faster to the goal than the non-residential student, who, if you like, you can say has to depend entirely on himself or on what you may call a second or third rate system of teaching. The men to whom money is no object, or comparatively no object, will still attend the University, so that they may get their degree more quickly or get through their classes more quickly; but the men to whom money is an object, because they do not have much of it, may wait a little while in patience and study, and will only obtain the degree when they have proved themselves worthy by ability and information to receive it. That seems to me to be a just and wise arrangement in view of the interests of all classes concerned in this matter, and as such I venture to put it before the Committee.

Amendment proposed, page 11, line 14, after "degrees" insert,

"And the terms and conditions under which, without discouraging attendance on University or recognized extra-mural teaching, such degrees may be granted to all persons resident in Scotland applying for the same, and proving

themselves possessed of the requisite knowledge or skill, under whatever circumstances such knowledge or skill may have been obtained."—(*Mr. Wallace.*)

*Mr. J. B. BALFOUR (Clackmannan, &c.): I am sure everyone present must sympathize with the object which my hon. and learned Friend desires to attain, but I must say that it does appear to me—and I speak from much familiarity with the Scotch University system, both as regards its history and its present condition—that it would be hardly possible to give effect to what my hon. and learned Friend proposes without disadvantage to the persons whom he wishes to benefit, and without detriment to these ancient and admirable institutions. I rather think that my hon. and learned Friend must himself have had some feeling of this kind, for in advocating his Amendment, he not only puts forward the proposal that the Scotch Universities should become examining bodies, but that if they become examining bodies it shall not be without respect to the functions they have so well discharged in times past. He desires to maintain the teaching along with the examining system. I do not see how it is possible to dispense with a certain amount of University or extra mural attendance as a condition of graduation. If you make the acquisition of the degree free and open without any such condition, the effect must inevitably be to diminish University attendance. I am sure all who have had the advantage of being educated at Scotch Universities, must allow that not the least valuable part of the University career is the mingling in the academic halls with other students, and coming under the general influences which prevail in these ancient seats of learning. It is quite impossible, I think, to turn the University into a mere examining body without decreasing attendance. My hon. and learned Friend sets himself to perform an impossibility by his Amendment. At present we invite students from all parts of the world, and there are few parts of the world from which we do not get them; but my hon. and learned Friend shows mistrust of his proposal when he limits the purely examining functions of the University dispensing with attendance, to persons resident in Scotland. He must have felt the difficulty of introducing an alternative foreign to the ancient character of these institutions when he hedges round his proposal with limitations and restrictions. One great question ought not to be left out of consideration. I do not want to raise a long argument, but I may mention a fact which is very clearly brought out in a work by my right hon. Friend near me (Sir Lyon Playfair)—namely, mere examining Universities have not usually been successful. They have been tried in Belgium with results the reverse of successful. Trinity College, Dublin, has not been successful as an examining body. I believe there has been a measure of success in England in the case of the London University which is not a teaching body. It does appear to me that a combination of the two systems in the manner proposed would probably damage these institutions for both purposes. My hon. and learned Friend says the presumption is in favour of his view, and if the matter were an absolutely open one, and we were begining to conceive the idea of a University without experience, I do not say that his plan might not have much to recommend it; but we are dealing with institutions hundreds of years old, and I rather think that we have found an answer to my hon. and learned Friend's presumption in the fact that these Universities are, and always have been eminently the Universities of the people, the Universities of the poor; and notwithstanding what my hon. and learned Friend has said, there is no country in the world that offers so many examples of men from the very humblest ranks having reached to the very highest positions in the service of the State through academic study which they were enabled to pursue by the aid of bursaries and other means. Surely it would be a somewhat rash proceeding while we are by this Bill giving quite enough work to the Commission in reforming the Universities of Scotland to add a proposal to turn these institutions into something entirely different from what they have hitherto been, and which I cannot help feeling would damage their teaching power and lower the educational standard throughout the country. My hon. and learned Friend says there is no monopoly of the academic spirit in

those centres where the Universities are seated, that it exists at Inverness, Perth, Dumfries, and elsewhere. True, and if we were now going to set up a University system we should fully recognize this, but here are the ancient University Seats with all the equipments attaching to them; and without going into a long discussion that would be inappropriate at this stage, I do submit that to introduce this very serious change would endanger the success that we hope may attend the legislation upon which we are now engaged.

*SIR W. FOSTER (Derbyshire, Ilkeston): The Amendment moved by my hon. Friend—

Notice taken that 40 Members were not present; House counted, and 40 Members being present,

*SIR WALTER FOSTER: The Amendment moved by my hon. Friend contains words which give it a somewhat narrow limit, and I confess that I should have liked it better without the limitation. It is always difficult to define what domicile is, and it might be that, as in the case of marriage, a definition would be made in which a 24 hours' residence would constitute domicile. But I wish to say that I regard this Amendment as conceived in a broad and liberal spirit, and I am sorry that so broad and liberal a spirit is not generally infused into the University system, as I think the Universities would do much better were they to display that spirit in their mode of conferring degrees. I am sorry that any right hon. Gentleman sitting on the front Opposition Bench should have employed, as the right hon. Gentleman the member for Clackmannan (Mr. J. B. Balfour) has done, what I cannot but regard as the narrowest academical arguments against the proposed extension of privilege here sought to be conferred; and it is to me a matter of all the more surprise that such arguments should have been used by one who sits there as a leader of Scotch radicals. I hope it will not turn out that we shall see, as we did in the last Parliament, the right hon. and learned Gentleman entering into a treaty with the learned Lord Advocate in regard to this Bill in the same way as the Lord Advocate entered into one with him in relation to the Crofters' Act. I trust that we shall witness no repetition of that sort of alliance, because it would be one that would not be at all satisfactory to the Liberal party. With reference to this Amendment, the great argument used by my right hon. Friend on the front Opposition Bench was that the danger of this Amendment would consist in the effect it would have on the influence of the Universities on the students—that is to say that what the students obtain after a certain number of years' curriculum, would be lost to many of them if this Amendment were passed, and the Universities would be converted into mere examining Boards. Now, there is no necessity for their being converted into mere examining Boards, for if the right hon. Gentleman has any faith in his own principle he ought to believe that the University principle will live of itself. If University residence be a good thing, it will surely survive any alteration or widening of the regulations for the conferring of degrees. I may point out that in the Edinburgh, Glasgow, and Aberdeen Universities there is nothing to compare with what is seen at the Universities of Oxford and Cambridge in the shape of residential discipline. All that the students get at Edinburgh, Glasgow, and Aberdeen—I will not venture to include St. Andrew's here—they can equally obtain in any properly conducted college in the United Kingdom; and if they can also ensure what they require in the way of information, I do not see why they should be debarred from graduating at the Universities which now have a monopoly of giving degrees. The Universities are very good in their influence, and the diffusion of their degrees is an object we are all desirous of obtaining. The degrees need not be lowered in any way, because more go up to receive them; they can be kept at the same high standard as at present, while their diffusion would have a wonderful influence on the general diffusion of education among the people. There are thousands of persons who now leave both public and private schools who have no incentive to go on with their studies because they have no object of ambition before them, such as would be attainable if the principle of this Amendment were conceded. I hold that these Scotch Universities ought to be looked at, not merely from a narrow point of view as Scottish institutions; but rather from a broader

point of view as national institutions; because, as they are supported out of the national funds, the whole kingdom ought to have the right of access to their examining Boards and degrees. Taking one particular faculty, that of medicine, with which I myself am more familiar, what is the operation of the present system in the Scotch Universities? They have what is a monopoly in comparison with the provincial colleges in the granting of degrees, and they receive a public grant, which hitherto the English provincial colleges have not received, and thus they are enabled to provide a curriculum with which England cannot compete. They thereby withdraw English students from this country, they turn round and exclude our students from access to the degrees they give to their own students. It will hardly be believed that at the present moment if any one in England—say a member of this House—were to send his son for education in medicine to the best institution in London, in which men of the greatest eminence are maintained on the hospital staff—such, for example, as St. Bartholomew's, where, probably, the staff hold a higher scientific position than the staff of any similar institution in this country—the very fact that he selects the best institution debars his son from the right of obtaining a degree at St. Andrew's, because the curriculum is not recognised there, and yet the University of St. Andrew's, which grants degrees in medicine, is unable to completely educate a single doctor, and has not the means of so doing. That University, which confers degrees in medicine, will not admit men educated at the best medical school in London, unless they reside in a Scotch University.

An Hon. MEMBER: There are ten admitted each year.

*SIR W. FOSTER: I am aware of that. I have not been sending students from my own class for the last 30 years, and writing certificates for them year after year, without knowing what I am talking about. There are ten admitted every year; but if ten can be admitted every year, why not 100, or why not—should there be a sufficient number of candidates—one thousand? If a degree be a good thing for the medical profession, why should the number be limited to ten per annum? The reason for this limitation is that years ago St. Andrew's abused its privilege and admitted shiploads of candidates to the degree of Doctor of Medicine. But these ten men are admitted only after they have been a certain number of years in practice; and because they want to get a little social distinction which they have not been able to obtain as plain "misters." This is not the sort of inducement that should be held out for men to go up for their degrees. The incentive should be something more in the nature of scientific ambition, and that love of learning which young men should be encouraged to develop. If a young man has the requisite knowledge, he ought to be admitted as well as men of 40 or 45 years of age, whose only virtue in the eyes of the University is that they have been so long in practice. On these grounds, I think, the privilege now yielded by the St. Andrew's University, ought to be extended so that we might have hundreds going up for degrees instead of only ten every year; or, at any rate, a very much larger number than at present. If this result were brought about, it would be a good thing, both for the University itself, and for the people generally. The Amendment before the Committee is directed principally against what is a local monopoly. Men can obtain the necessary learning fitting them for medical degrees as well in Dundee as in St. Andrew's—as well at Stornoway or in the Western Islands as at Edinburgh or Glasgow. What is wanted is not to interfere with the teaching excellence of the Universities. The adoption of this Amendment would open the doors of the Universities as widely as possible, and it would be found that they would still draw to their classes the same sort of students as now, by virtue of the excellence of their teaching, while the desire for instruction elsewhere would be largely stimulated by the widening of the access. The professors, also, would be incited to extra exertions; they would endeavour to make their lectures more attractive, instead of relying on a monopoly to force a certain number of students into their classes. Another point I should like to touch upon is this: I think the Amendment of my hon. Friend might be improved if he would allow words to be introduced, which, I hope, the Lord Advocate will accept, indicating that those who are admitted to degrees, irre-

spective of residence, should in some cases, be obliged to go through some curriculum in a recognised teaching institution. I should be glad to see the Bill so modified, while the liberalizing Amendment of my hon. Friend the Member for Edinburgh (Mr. Wallace) is adopted in the widest sense. By the incorporation in this Bill of a wide extension of the powers of the Universities to confer degrees, those institutions can, I am convinced, be not only strengthened in their position of usefulness, but a great and lasting impulse be given to higher education throughout the United Kingdom.

MR. CALDWELL: I regret that I am not able to support this Amendment, nor do I take this position on the grounds stated by the right hon. and learned Gentleman the Member for Clackmannan. The right hon. and learned Gentleman seemed to think there was some kind of virtue in the fact of students being connected with the Universities, and that degrees should only be granted to those who have gone through the full curriculum at one or other of the Universities. I quite agree with what has been said by the hon. Gentleman the Member for Edinburgh, as to the necessity and advantage in Scotland of having teachers in various parts of the country whose teaching should be recognized by the granting of degrees. I also concur in what was said by the last speaker (Sir W. Foster) as to why the Scotch Universities should go the length of recognizing efficient teaching of schools in England for the purpose of granting degrees, but I would point out that all this is provided for in the Bill, because in the concluding portion of sub-section 8 of this Clause, which has already passed the Committee it is provided that the Commissioners may

> "if they think proper, determine the extent to which, and the conditions under which University Courts may grant recognition to the teaching of any college or individual teacher for the purposes of graduation."

Therefore almost all that has been contended for is contained here, though not entirely. However, it is not, and will not be necessary that the students should attend any one of the four Universities in order to obtain their degrees. This is the important point in the Bill, that practically, for the first time, power is given to the Commissioners and the University Court to authorize the recognition of teaching outside the Universities for the purpose of graduation. I admit that this does not go as far as the Amendment of the hon. Member for Edinburgh (Mr. Wallace), but I think we ought to be satisfied to get the recognition of extra-mural teaching. The conferring of a University degree is not merely a mark of possession of knowledge; it is a recognition of the fact that that knowledge has been obtained in a particular way, and under a certain kind of training, it being the University training which enters materially into the elements of a degree. We have abolished the disqualifications which formerly existed against men being allowed to obtain employment as medical officers in the Army or Navy by passing a certain examination, and without being obliged to obtain a degree; the object of a degree being that it shall be evidence not only of the requisite knowledge, but that that knowledge was obtained at a University. I trust that the extension of extra-mural teaching will be promoted by this Bill, and that we may obtain in all parts of Scotland teachers qualified in one or another department of education to diffuse some sound knowledge throughout the different portions of the community.

DR. FARQUHARSON (Aberdeen, W.): I am sorry I cannot support the Amendment, because I fear it would greatly injure, and perhaps ruin, the Scotch Universities. I feel bound to say that the most effective criticism of the Amendment came from the hon. Gentleman who seconded it, and who in the first instance entirely threw over the limitation of the advantage derived exclusively by the inhabitants of Edinburgh; and, secondly, made out a strong claim, in which I entirely concur, for the establishment of a regular curriculum for the study of medicine. But the proposal of the hon. Gentleman the Member for Edinburgh amounts to this—that anyone sitting at home and studying certain text books, or attending certain lectures in any school he may think proper, may, if he desire it, come up for examination, and, if he has had a grinder clever enough, be passed through for his degree. The system of grinding has been so developed that almost any qualified grinder can put a student

through almost any examination within a certain period; but the knowledge which a young man so obtains is as quickly lost as it is acquired. The right hon. and learned Gentleman the Member for Clackmannan has been severely animadverted on for the remarks he has offered on the subject of the Scotch Universities. I may say that I was brought up in the University of Edinburgh, where I obtained my degree, and I look back with affection and regard to the influences brought to bear on me by University life, carried on as it is even in the Scotch Universities, which are not so well regulated as the Universities of England. I cannot forget the friendships and acquaintanceships derived from sitting with the same students on the same benches, in the different classes, year after year listening to the same professors; nor can I but appreciate the loyalty of feeling and honourable pride which were stimulated by the association then begun with so many eminent men. No such advantages can be obtained from attendance at the smaller and less elaborately regulated places of instruction. For the reasons I have given I cannot support the Amendment.

*Sir LYON PLAYFAIR (Leeds, S.): This Amendment mixes up two subjects, one of which I sympathize with, while I am unable to sympathize with the other. I would say, in the first place, that I sympathize with the encouragement of extra-mural teaching as a part of the curriculum for a degree, and I would point out that this is recognised by the Universities in regard to medical degrees. There is always a certain amount of attendance required for obtaining the degree, but the other portion of the curriculum may be followed in schools outside the Universities. If the hon. Gentleman the Member for Edinburgh had meant that recognition of extra-mural teaching should be allowed in regard to arts as well as medicine I should have sympathized with that, but the Commissioners have already the necessary powers under the Bill. I attach much value to a certain residence of one or two years at a University. This gives an academic spirit and infuses a love for the *Alma Mater*.

Mr. FIRTH (Dundee): If a degree be taken by a man it is the signification of the possession of certain knowledge, which, I apprehend, is the true definition of it. Whether that knowledge is given inter or extra-mural is surely not a matter of serious importance. Now, I speak with considerable knowledge of a University where extra-mural teaching does qualify for degrees—namely, in the University of London, and in that case the results have been abundantly successful. I think that by giving a University degree to a poor man on the lines proposed in the Amendment, you are enabling him to take the fullest advantage of the talent he possesses. As to insisting on a certain curriculum, I have great reverence for curriculums, but, after all, what does it matter as to the method by which you arrive at a given result; if you can attain it by reading one book in preference to another, what is the objection to doing so? After all, the result is what you have to look to, and as to the suggestion regarding what has occurred in Belgium, I can only say that the examiners there must be of a very different type to those we have in Scotland. I hope the Amendment of my hon. Friend will receive support.

Dr. CLARK: There is one aspect of this question which has not been laid before the House, and that is, the injury done to the teachers under the present system in Scotland. I am not prepared exactly to support the Amendment of my hon. Friend, because it is contrary to the existing law. But while teachers possessing a University degree get 10s. per head for all passes, other teachers only get 4s. per head. I think this is an injustice to poor teachers in Scotland which ought to be abolished. There is the old story that St. Andrew's got rich by certain degrees. I do not think that any University would attempt to do that now. Indeed I believe that no examiners for any degrees would pass men now, unless they were thoroughly qualified, and I am sure that the examining Board of St. Andrew's is equal, if not superior, to any examining board of the other three Universities. There is less favouritism and a man has a better chance of passing on his own merits. This argument applies equally to Germany. German degrees at one time were got very cheaply, but no one would dare to say that within the last 20 years a German degree could be obtained by any other

method than hard work. In regard to the Faculty of Divinity, I think we want a change; we want something more liberal, and therefore I have put down my Amendment in the hope that the Government will see their way to agree to some modification. Are they prepared to concede anything to free teaching where there is no compulsion in regard to the curriculum?

MR. WALLACE: I must say I am rather disappointed to find that, although I endeavoured to make it plain that my great object was to secure the privilege of University distinction for those who, through poverty, are unable to achieve it at the present moment, without doing any injury to the existing system, that object has been overlooked by the whole body of my critics who have come from this side of the House, and have kindly spared the Lord Advocate the trouble of taking notice of my observations. Now, the objection to my Amendment is to the insertion of the words, "resident in Scotland," and in regard to that I must say that I simply put them in for the sake of the timid Conservatism with which I have to deal. I have no particular faith in them, but I thought it not unworthy to cultivate the wisdom of the serpent to that extent in order to secure support for the Amendment. I am, however, now willing to drop anything serpentine in my proposal. I think that the observations which have come from the hon. Member for Caithness and from the right hon. Gentleman the Member for Leeds with respect to the question of the curriculum arise entirely from their not having done me the honour to look at the terms of my Amendment. There is nothing in my Amendment hostile to the laying down of a regular curriculum in any branch of study. I have great respect for the right hon. Gentleman the Member for Leeds in his didactic but not in his prophetic capacity. I have done all I can to show that not the slighest injury will be done to the existing constitution and system of the Scottish Universities, and I must complain that my right hon. Friends have taken no notice whatever of the place I have suggested. As to non-residential students, on the roll of Edinburgh University appears the name of Thomas Carlyle, who passed through the University as a non-residential student, and I would ask can it be contended if Carlyle's opinions had taken a different direction that his moral teaching would have been any the worse for his having been a non-residential student? I do not believe in the danger of the grinder which is insisted on by the hon. Member for the St. Rollox Division of Glasgow. The grinder is quite as active with his pupils who attend University classes as he can possibly be with students outside. The right hon. Gentleman has spoken of the love of Alma Mater. I am the last man who would oppose the development of filial instincts, but I think the right hon. Gentleman gave way to unnecessary emotion, for I do not see how his remarks bore on the deeply practical question before the House.

MR. J. MACDONALD CAMERON, (Wick, &c.): I believe the crammer is a very important factor in University examiners, and I am of opinion that University classes furnish many students for the crammers than are furnished by outside teachers. Before an examination comes on the crammer examiners look over the examination papers of preceding years in order to find out the particular fads of the professors; having done that, they coach their pupils accordingly. Now, I would press the Lord Advocate to accept this Amendment; I do not think its acceptance would give rise to the slightest difficulty.

DR. CAMERON (Glasgow, College): I think that before we go to a Division we ought to have some expression of opinion on the general question to which this Amendment relates. When I read the Amendment I came to the conclusion that there could not be a question about supporting it, but when my hon. Friend behind me had exhausted his arguments in support of it, I found it a more difficult matter to vote for the proposal. I am entirely in favour of a University degree being considered as a certificate of so much knowledge, no matter how obtained. I do not care whether a man has been resident in Scotland or not, as my hon. Friend, in the superfluity of the guile of the serpent, wishes to propose. I do not wish a poor man to be kept back because of his poverty from an University degree, to be placed in a position of still further disadvantage to the student

who can pay to attend the professional classes. The word curriculum, as far as I understand it, means the payment of so many fees. You have to take out so many courses of lectures at so many guineas per course, so many more at so many more guineas, and so many more at so many more guineas. I cannot see how that makes a man a better scholar than if he acquired his knowledge in any other fashion. I understand that fees are necessary in an University, and we need not fear that they will be overthrown by this Amendment. The Universities will go on being fee-extracting institutions if you engraft the University of London system on to the Scotch University system, and I do not think there will be any deterioration in the quality of the degrees, for you may be sure that the examiners, if they are connected with the Universities, will take care that those who do not pay fees do not pass unless their knowledge is up to the standard of those who do. I hope the Government will give us some indication of the general principle to which they intend to adhere in this matter.

*Mr. J. P. B. ROBERTSON: I think the general sense of the Committee is in favour of terminating the discussion. While the debate has been extremely interesting, I must say that if we are to have any regard to proportion and the number of questions which remain to be considered, we ought to come to a decision. The Committee will remember that it has already made most liberal provisions for extra-mural teaching for individuals as well as bodies. All that the Government propose to do is to resist an Amendment which will have the effect of introducing a system entirely at variance with that of the Scotch Universities, and of turning them into mere examining bodies. We have abstained hitherto from taking part in the discussion, not from any disrespect for the ability of those who have brought forward the subject, but rather because the ground has been so completely traversed by previous speakers.

The Committee divided:—Ayes 67; Noes 140.—(Div. List, No. 165.)

Dr. CLARK: Mr. Chairman, I rise to a point of order. The Tellers left the door of the Aye Lobby before all the Members had passed through the door, and several Members were uncounted.

*The CHAIRMAN: The hon. Member should have called attention to it before the Tellers left the Table.

Mr. MACDONALD CAMERON: I beg to move the insertion after "degrees" of the words—

"Provided always, that they shall make ordinances and regulations for granting degrees in natural science."

I believe that in the Universities of Edinburgh and Glasgow arrangements have been made for the granting of such degrees, but that in the other two Scottish Universities no such arrangements at present exist. I desire that it should be made compulsory for the Commissioners to make such orders and regulations as may be necessary to ensure the establishment of such degrees. I think myself that the tendency even in modern times to ignore the teaching of science is too great. Here we are in the age of steam and telegraphy, and the development of natural science in almost every branch, and yet facilities have not been granted by the Universities for the acquiring of degrees by men of equal standing to those who acquire knowledge in kindred branches of science.

Amendment proposed, Clause 14, page 11, line 14, after "degrees" insert—

"Provided always, that they shall make ordinances and regulations for granting degrees in natural science."

Question proposed, "That those words be there inserted."

*Mr. MOIR T. STORMONTH DARLING: It seems rather unnecessary to give specific directions to the Commissioners of this sort, particularly when we have regard to the fact that it is now a long time since degrees in natural science were instituted at Edinburgh, Glasgow, and St. Andrew's Universities. I am not at this moment aware whether the same course has been taken at Aberdeen, but even if that is not so, the Commissioners have ample powers in the matter. I think we may very well leave this to the Commissioners.

Question put, and negatived.

*Mr. J. A. CAMPBELL: The object of the Amendment I have now to move is that, so far as is practicable,

there shall be uniformity in the four Universities as to the manner of examination, and the conditions under which degrees are conferred. I am not sure it is absolutely necessary to have a provision of this kind, but the words I propose to insert are taken from the Act of 1858. It may appear there is less desire for uniformity if we do not insert these words.

Amendment proposed, Clause 14, page 11, line 18, after "examinations," insert—

"Provided always, that, in so far as it shall be practicable, and, in the opinion of the Commissioners, conducive to the well-being of the Universities, and to the advancement of learning, the course of study, the manner of examination, and the conditions under which degrees are to be conferred, shall be uniform in all the Universities of Scotland."—(*Mr. J. A. Campbell.*)

Question proposed, "That these words be inserted."

*MR. J. P. B. ROBERTSON: I am sorry that I cannot accept the Amendment of my hon. Friend. I entirely agree there is a necessity that the action of the University should to a large extent bear reference to and be in harmony with the development of others, but there are already provisions in the Bill to secure that object. I am, moreover, prepared to accept a subsequent Amendment of the right hon. Member for Leeds (Sir L. Playfair), for the establishment of a general University Court of the four Universities to review the general interests of the Universities, especially in regard to degrees and examinations.

Amendment, by leave, withdrawn.

Amendments made.

Clause 14, page 11, line 19, leave out "any," and insert "each."—(*Dr. Clark.*)

Clause 14, page 11, line 19, leave out "that may find it expedient."—(*Dr. Clark.*)

Clause 14, page 11, line 22, after "professors," insert "lecturers."—(*Mr. Buchanan.*)

Amendment proposed, Clause 14, page 11, line 26, after "new," insert, "and subject to compensation as herein provided to abolish existing."—(*Mr. Hunter.*)

Question proposed, "That these words be there inserted."

*MR. J. P. B. ROBERTSON: I think the hon. Gentleman will find his primary object in this Amendment can be more easily accomplished at another part of the Bill. He wants to abolish professorships, and as I said in answer to the right hon. Gentleman (Sir L. Playfair) a short time ago, I am quite prepared to be a party to carrying that out, but I think the better plan would be upon Report to insert in page 10, line 32, the words "to abolish offices including professorships." Then I do not think the words "subject to compensation" are required, because the general rule as to compensation is stated in the part of the Bill which we have been recently considering, and that has universal application to all offices.

Amendment, by leave, withdrawn.

Amendment proposed, Clause 14, page 11, line 27, leave out all after "desirable" to "otherwise" in line 29.—(*Mr. Hunter.*)

Question proposed, "That the words proposed to be left out stand part of the Clause."

*MR. J. P. B. ROBERTSON: We do not exact endowment in the case of all the establishments here referred to. The words are "endowment and support." It is necessary the Commissioners should have regard to the element of durability in the institutions they found.

Amendment, by leave, withdrawn.

DR. CLARK: The object of the next Amendment is to make it compulsory on the Commissioners to enable the Universities to have extra-mural teaching. This is a matter upon which we should speak with no uncertain sound, indeed the Act will be worthless for all practical purposes unless there is a system of extra-mural teaching.

Amendment proposed, Clause 14, page 11, line 32, leave out "if they think it expedient."—(*Dr. Clark.*)

Question proposed, "That the words proposed to be left out stand part of the Clause."

*MR. J. P. B. ROBERTSON: The hon. Gentleman has very fairly discussed his Amendment as it appear on the Paper,

but in order to appreciate the full force and stringency of the provision he has suggested I will ask the Committee to remember that the hon. Member proposes to delete the words "if they think it expedient," and the effect would be to compel the commission to increase extra-mural teaching. But the Committee have already decided that the matter of teaching power should be left to the Commission, and it is for the Commission to find the best method of dealing with it. Let the hon. Member be assured that by the provisions in the Bill the Commissioners are in no way discouraged, but are encouraged to greater recognition of extra-mural teaching; but I must strongly deprecate this method of inviting the Commission to increase this particular branch of teaching, irrespective of the teaching power inside the University.

DR. CLARK: I intend to take a Division on this point. Two things this Bill can do. It can make the Scotch Universities useful by abolishing them as close corporations, and especially the monopoly of the teachers, and the other thing is to give them a sum of money to enable them to still further develop their system. Now, under the present system the University professors have practically the monopoly of teaching, and not only that, they have the monopoly of examining. Now, I can speak from half a dozen years of University experience, and I will tell the Committee my experience in Glasgow and in Edinburgh. I had the honour of being a student under a very distinguished man at Glasgow University, who is now dead. He was a very able man in his day, and had distinguished himself in the high position he occupied. I was compelled to attend his lectures, and, because I was compelled to do so, I continued to attend these lectures, although, sitting on the front bench, I could not hear a word the learned professor uttered. I went there fully prepared to get all the advantage I could from the lectures. I had no objection to paying for the course, but I had to attend lectures where a man was always talking to himself, and not a single student heard a word he said. I could not attend any extra-mural teaching in Glasgow, because extra-mural teaching was not recognized at Glasgow University. In my opinion, the reason why Edinburgh cuts out Glasgow as a medical school is because of the extra-mural teaching being recognized in the latter University. At Edinburgh I had experience under a professor of medicine, a splendid orator, with whom from the first I was delighted. I thought his first lectures charming. But I found, when the course was finished, that although I had heard most eloquent discourses on almost every subject under heaven, there was nothing of any practical advantage to the student of medicine. I can say this of the professor at Glasgow that he gave me the highest honours in physiology, though I never heard a word of his lectures thereon. My brother, who had passed through the class before me with a similar experience to mine, told me the professor gave honours to those who wrote essays carrying out his ideas. I knew his special theories, and adopted them, and so I obtained what as a test was practically worthless. Now, I say we want competition in teaching, and we want no favours in examination, not having the professor as examiner with his friend as assistant. The first means of attaining this end is by extra-mural lectures in all the faculties. The Government should not leave this as merely a permissive point to be determined by the Commissioners. It is a case in which we should give our decision.

*SIR WALTER FOSTER: I can confirm, to a large extent, the argument of my hon. Friend. The fact that in the most renowned University of Edinburgh the system of extra-mural teaching is encouraged more than elsewhere, supports the statement that the principle of competition is of greatest value in University matters. If you have competition between a number of colleges as at Oxford and Cambridge, you do not need any other competition, but in Scotland you have not that collegiate competition. To do away with the close corporation character of the teaching, and create competition between the teachers would give an incentive to excellence that would, I am sure, be to the advantage of the Scotch Universities.

*SIR G. TREVELYAN: The subject on which we are now engaged is considered, by many, to be the very heart and core of the Bill. This proposal is one

that is supported by those whose disinterested desire it is to open out the teaching of the University. So far as I can gather among those who have been foremost in promoting this legislation there is great dissatisfaction with the working of this present system, and they think that this clause is exceedingly lax and wants stiffening. I have looked at the Amendment of my hon. Friend, and I have compared them with my own which would come in on the next sentence, and I cannot say that I see any distinction in principle between them and the method in which we endeavour to carry it into action. There may be in one of the Universities an excess of teaching power as compared with the number of students, but I do not think that some slight inconvenience to St. Andrew's should be a reason for setting at nought this demand. My own opinion is the Lord Advocate would do well to consider his duty in regard to this point, for by making a concession he will gratify that great body of men, who, more than others, have the reform of the Universities at heart.

*MR. J. P. B. ROBERTSON: It must be remembered that the part of the clause is correlative with the powers of the University Court, and I may say that in regard to those powers I did my best to meet the views of the right hon. Gentleman opposite. I took his own words. I hope the right hon. Gentleman will bear in mind that the proposal is not merely to strike out the words if they think expedient, but by the series of Amendments it will be incumbent on the Commissioners to strengthen the University, if it requires to be strengthened, by extra-mural teaching, and by extra-mural teaching alone. In the case of what has been called "bloated professorships," any considerations of the kind submitted to us formerly to the effect that the emoluments may be divided among an increased staff, would have to be disregarded, and the Commissioners would have recourse to extra-mural teaching—a preposterous proposal, but that which would be the result of such an imperious restriction. We are anxious to encourage extra-mural teaching, but we have considered this matter most carefully and closely, and must adhere to the words the hon. Member proposes to omit.

DR. CLARK: The Amendment, I might say, was suggested to me by Dr. Watson, Chairman of the Council of the Edinburgh University Association, and it should be observed that I still leave the power optional with the Commissioners, inasmuch as I leave the words "or otherwise."

MR. BUCHANAN: I with many other Members would like to know if the right hon. Gentleman proposes to admit any qualification to the subsequent part of the clause, which would meet the views of the General Council of Edinburgh University?

*Mr. J. P. B. ROBERTSON: I may say here that I am quite prepared to accept both Amendments of the right hon. Gentleman the Member for Bridgeton, which are in complete harmony with what was settled the other night in relation to the powers of the University Court.

The Committee divided:—Ayes 202; Noes 73.—(Div. List, No. 166.)

Amendment proposed, Clause 14, page 11, line 34, leave out "if they think proper."—(*Sir George Trevelyan.*)

Amendment agreed to.

Amendment proposed, Clause 14, page 11, line 34, leave out from "determine," to "conditions," in line 35, inclusive, and insert "make regulations."—(*Sir George Trevelyan.*)

Amendment agreed to.

SIR G. TREVELYAN: The Committee are aware that there are three classes of professors to be dealt with, namely, the old professors, appointed before 1882, those who have been appointed since then, and those who will be appointed after the passing of the Act. The first class are out of the purview of the Bill. Their position, I take it, is fixed and cannot be altered. With regard to those who have been appointed since April 6th, 1882, the Commissioners will have to lay down conditions under which they will be entitled to pensions. As to those who are appointed in the future I hope the Committee will think twice before giving them a statutory right to a pension. It has been a very serious thing in the past and has very seriously hampered the Universities, to have the pensions always thrown in their teeth when they wished to make new professorships, but it will be a much

more serious thing in the future when all pensions will have to come out of the limited fund from which the other requirements of the Universities will have to be met. The Amendment I have to propose does not ask that in future it shall be forbidden to grant pensions, but that it should be left to the Commissioners to say whether they will grant them or not. The Amendment will make it quite plain that the professors appointed in the future will not have a statutory claim to pensions. It leaves the Commission with a perfectly free hand, and I must say I think that in the financial and in some respects the educational interests of the Universities it will be well to adopt it.

Amendment proposed, Clause 14, page 11, line 40, leave out from "and," to the first "and," in line 42, inclusive.—(*Sir G. Trevelyan.*)

Question proposed, "That the words proposed to be left out stand part of the Clause."

*THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN, St. George's, Hanover Square): There is great force in the right hon. Gentleman's observations, and this question of pensions in the future requires to be treated with very great care indeed. I do not know that there are any words in this clause which absolutely declare that pensions are to be given in the future to the professors. I think the clause would leave it open to the Commissioners to act in the way they think expedient after considering the circumstances of the case. I do not think the words proposed to be inserted by the right hon. Gentleman will exactly suit, because you can hardly apply the word "abolish" to pensions not yet granted. Perhaps it would meet the case if the Lord Advocate would consider the matter before Report, and would introduce words which would guard against laying down an absolute principle that professors are to have pensions.

SIR G. TREVELYAN: Perhaps that would be the best way to deal with this complicated question.

Amendment, by leave, withdrawn.

SIR G. CAMPBELL: The Amendment which stands in my name is intended to provide an alternative to the rigid rule of compensation. I hate the word compensation, but I think it quite reasonable that power should be given to grant pensions to those whose appointments are abolished or whose resignations may be accepted in consequence of alterations made pursuant to this Act.

Amendment proposed, Clause 14, page 11, line 41, after "Act," add—

"Or whose appointments may be abolished, or whose resignations may be accepted in consequence of changes made in pursuance of this Act."—(*Sir G. Campbell.*)

*MR. J. P. B. ROBERTSON: The question whether compensation should be awarded is necessarily affected by the rights of the professor on the expiry of his office. I do not think the hon. Gentleman will find, however, that there will be really any obstacle to carrying out his view by leaving the words in this clause as they stand.

Amendment, by leave, withdrawn.

The following Amendments were agreed to:—

Clause 14, page 12, line 11, after "Academicus," insert "and the General Council."—(*Sir G. Trevelyan.*)

Clause 14, page 12, line 11, leave out "its," and insert "their."—(*Sir G. Trevelyan.*)

*SIR LYON PLAYFAIR: The Amendment I have to propose differs from the recommendations of the Commissions of 1878. That Commission recommended that the general University Court should be an executive body, and my Amendment recommends that the Court should be an advising body.

Amendment proposed, Clause 14, page 12, line 26, insert the following sub-section:—

"To establish after the first day of January One thousand eight hundred and ninety-two, a General University Court of the four Universities, with a view of taking in review the general interest of the Universities, especially in regard to degrees and examinations, and with the duty of reporting to Her Majesty on new ordinances, or changes in existing ordinances, affecting all or any of the Universities, and with power to report to the Secretary for Scotland on matters connected with the Universities upon which they may deem it to be of importance to represent their views, or upon subjects which may be specially referred to them by the Secretary for Scotland."—(*Sir Lyon Playfair.*)

Question, "That this sub-section be there inserted," put, and agreed to.

The following Amendments were also agreed to:—

Clause 15, page 12, lines 33 and 34, leave out "and after the expiry of their powers, the University Court."—(*The Lord Advocate.*)

Clause 15, page 12, line 35, after "them," insert "and after the expiration of their powers, the University may make similar ordinances."—(*The Lord Advocate.*)

*MR. BAIRD (Glasgow, Central): I beg to move after "parties" the insertion of the words, "Provided that such consent shall not be unreasonably withheld." I think some power should be given to see that the objections taken are, at all events, reasonable.

Amendment proposed, Clause 15, page 12, line 40, after "parties," insert "Provided that such consent shall not be unreasonably withheld." — (*Mr. Baird.*)

*MR. J. P. B. ROBERTSON: I am afraid that these words would be entirely inoperative. They would be merely an exhortation to the University Court, and not a prohibition as to anything the Court might do. Therefore, while sympathizing with the object of my hon. Friend, I do not think we ought to encumber the Act with the words.

MR. CALDWELL: There is a great deal in what the right hon. Gentleman says, but I think it is only right that provision should be made that a college should not be deprived of the advantages of affiliation by the University Court without appeal. I hope, therefore, that before Report the right hon. Gentleman will consider the advisability of establishing some power of review on the part of the Universities' Commission in this respect.

*MR. J. P. B. ROBERTSON: I shall be inclined to consider that case. I am bound to say, however, I am not very hopeful on the subject, as the question of affiliation is treated in the Bill as being a question of consent on one side and the other. It will be difficult to apply compulsion to one Party and not to the other. On the other hand, I am so fully convinced of the desirability of having some control in the matter that I will look into it.

Amendment, by leave, withdrawn.

Clause 15 agreed to.

Clause 16.

*MR. J. B. BALFOUR: I have to move an Amendment giving the Commissioners power to incorporate the Colleges of St. Andrew's into one body. There are two colleges in St. Andrew's University. The Universities Commission which reported in 1868 recommended that power should be given almost in terms of this Motion to incorporate the two colleges into one University. It is not an obligation, but a power. It was introduced into successive Bills, and, if I mistake not, was in the Government Bill of last year and passed the House of Lords. It seems to be a proper provision, and it is in accordance with the history of St. Andrew's and other bodies that such steps should be taken in the course of University Reform. Now that the University Court will have the duty of looking after the property and revenues of the College, these colleges will really have no corporate work to do, and accordingly the so-called Divinity College will practically be a Faculty of Divinity. These processes of incorporation wherever they have been tried have been attended with the best results, and experience has proved that where there has been friction between such collegiate bodies while they existed as separate institutions, it has been brought to an end when the process of amalgamation has taken place.

Amendment proposed, Clause 16, page 14, after line 3, insert—

"(1) As regards the University and Colleges of St. Andrew's, if they shall see fit, after investigation and hearing all parties interested, to incorporate them into one body under the name of the University of St. Andrew's, under such conditions as shall seem just, having due regard to vested interests."(*Mr. J. B. Balfour.*)

SIR G. CAMPBELL: I hope the Government will not accept the Amendment, which seems to me to be entirely inconsistent with the affiliation scheme. I hope and trust that this system of affiliating colleges will be much more extended, and that we shall have affiliated colleges in Dundee, in Kirkcaldy, and in other places. I do not think that one college ought to be incorporated into the University whilst others have a separate existence.

*Mr. MOIR T. STORMONTH DARLING: I am happy to say we are in entire agreement with the hon. Member who has just spoken. In the Bill of the late Government, as well as in the Bill of last year, there was a proposal of the kind now suggested, but the feeling now is all in favour of the multiplication of colleges, and not of their fusion, and really there is no practical good to be gained by the incorporation of the two colleges which have existed for centuries at St. Andrews.

Mr. BUCHANAN: This clause was in the Bill of 1883, in all the Bills of the late Government, and in the Bills of last year. It was also all the Bill of the late Government, and recommended by the Commission of 1876. After all, it is merely an enabling clause. I was rather surprised at my hon. Friend the Member for Kirkcaldy taking up the line he did, because earlier in the evening I voted with him in favour of giving the Commissioners power to abolish theological faculties in the University of St. Andrew's, and one of these colleges is really nothing more or less than a theological faculty. Surely no adequate reason has been given why that which has been so often recommended in the past should be dropped out of the Bill of this year.

Amendment, by leave, withdrawn.

*Mr. J. B. BALFOUR: I now beg to move an Amendment giving the Commissioners power to declare that a Chair located in Dundee shall be a Chair of the University of St. Andrew's. It would, however, by no means make incorporation compulsory on any body.

Amendment proposed, Clause 16, page 14, line 8, leave out from "having" to "trust," in line 10, inclusive, and insert—

"And also to declare that a Chair located in Dundee shall be a Chair of the University of St. Andrew's."—(*Mr. J. B. Balfour.*)

*Mr. J. P. B. ROBERTSON: The language of the clause was carefully considered and adjusted in another place last year, and I should certainly scruple to strike out words which had the sanction of both parties at that time.

Amendment, by leave, withdrawn.

*Mr. J. B. BALFOUR: I now move that the words "or any Chair or Chairs thereof" should be inserted in line 4 of the clause after the word "college." It is conceivable that some of these Chairs might desire to be allied to the University of St. Andrew's, while others might not, and I think it would be well that there should be as much latitude and flexibility about the arrangement as possible by giving power to deal with particular Chairs of a college.

*Mr. J. P. B. ROBERTSON: I am afraid I cannot accept this Amendment. In order to affiliate a college you must have some regular organism, and I fail to see how you can say you will affiliate not a particular body but particular part of it—a Chair here and a Chair there. It seems to me that that would not, in the true sense, be a process of affiliation at all. And I would further point out that it is quite within the power of the Commissioners to make such arrangements in the terms of affiliation as would attach to a University those Chairs which are properly germane to the University.

*Mr. J. B. BALFOUR: I do not press the Amendment after what the right hon. and learned Gentleman has stated.

Amendment, by leave, withdrawn.

Dr. FARQUHARSON: Will the right hon. and learned Gentleman accept the next Amendment which is in my name?

Mr. J. P. B. ROBERTSON: Yes; I have no objection to it.

Amendment proposed, Clause 16, page 14, line 7, after the word "equipped," insert the word "conjoint."

Question, "That this word be there inserted," put, and agreed to.

*Mr. J. B. BALFOUR: I now have to move my next Amendment—namely, to leave out of this clause from lines 8 to 10 the words from "having" to "trust" in order to insert these words:

"And also to declare that a Chair located in Dundee shall be a Chair in the University of St. Andrew's."

I am told it is probable that the munificence of persons belonging to the large and wealthy city of Dundee may desire to find expression by associating their names with the foundation of particular Chairs, without making them Chairs of the University College, Dundee. For instance, there may be some who would

wish to provide a Chair of Clinical Surgery, or practical Anatomy in connection with the Hospital at Dundee, associating his own name with it, and it would be desirable upon such a Chair being established, it should be within the competency of the Commissioners to declare it to be a Chair of the University of St. Andrew's, if this was desired by the parties interested.

Amendment proposed, Clause 16, page 14, line 8, leave out from "having," to "trust" in line 10, inclusive, and insert—

"And also to declare that a Chair located in Dundee shall be a Chair of the University of St. Andrew's."

*MR. J. P. B. ROBERTSON: Either it is in the power of the Commissioners to do what is proposed, or it is not, and if not, the matter is one that ought to be dealt with by a general enactment enabling the Commissioners to accept the foundation of a Chair on condition that it be locally situated in a different place from the University. I should rather deprecate the selection of Dundee.

*MR. J. B. BALFOUR: Under the circumstances I will not press the Amendment.

Amendment, by leave, withdrawn.

DR. FARQUHARSON: I have now to move an Amendment, which I think will be very useful in strengthening the principle of development at St. Andrew's.

Amendment proposed, Clause 16, page 14, after Sub-section (1), insert the following sub-section:—

"To found Chairs of Anatomy and Botany at St. Andrew's, so as to enable the University of St. Andrew's to give two *anni medici*, the period of residence required by the Scottish Universities for medical graduation."

*MR. J. P. B. ROBERTSON: I hope the hon. Gentleman will not persist in this Amendment. If we were to accept it we should step into the province of the Commissioners, and be pointing out to them specific changes which we desire to make; whereas in all other cases we leave them entirely unfettered. I ought to point out that there is a general power which would completely justify the Commissioners in founding these Chairs.

DR. FARQUHARSON: I will not press the Amendment after what has been stated by the right hon. and learned Gentleman.

Amendment, by leave, withdrawn.

The following Amendments were agreed to: Clause 16, page 14, line 12, after the first "to," insert "and made to form part of clause 16, page 14, line 17, leave out after "affiliation" to end of clause, and insert—

"And, in the event of such affiliation not taking place within such time after the passing of this Act as the Commissioners shall consider reasonable, they may regulate the time, place, and manner of such election as seems to them best."

Clause 16, as amended, agreed to.

Clause 17.

SIR G. CAMPBELL: I propose to omit all reference to the Theological Board by leaving out all the words after "various" to "without the," and the clause would read—

"That the Commissioners have power to call before them and examine the principals and professors of the Universities and such other witnesses as they think proper."

Is it intended that the Commissioners shall hold inquiries into doctrinal matters such as the attitude of the Holy Ghost, or things of that kind. I move, in Clause 17, page 14, line 21, to leave out all after "various," to "without the," in line 22, inclusive.

Question proposed, "That the words proposed to be left out stand part of the Clause."

*MR. J. P. B. ROBERTSON: I think it is very desirable that the Commissioners should deal with all the various interests, and I am not quite sure whether the hon. Gentleman might not have gone further. I have taken into consideration whether his object would not be better served by making the clause run thus—"The Commissioners shall have power to take such evidence as they think proper."

SIR G. CAMPBELL: I accept the Amendment.

Amendment, by leave, withdrawn.

Amendment proposed, to insert one word, "That the Commissioners shall have power to take such evidence as

they think proper."—(*The Lord Advocate.*)

Question, "That those words be there inserted," put, and agreed to.

Question proposed, "That Clause 17, as amended, stand part of the Bill."

*MR. CAMPBELL-BANNERMAN: We have now reached an important point. My hon. Friend (Mr. Bryce) will raise an important debate on this clause, which he proposes to omit, and I hope we need not commence the debate so near the time of adjournment.

*MR. W. H. SMITH: I agree with the view of the right hon. Gentleman. I think it is a reasonable one. No doubt the question to be discussed is a very important one, but I hope the discussion to-morrow will be brought to a close at an early hour. The Government are desirous of meeting hon. Gentlemen as far as they possibly can, and they have made this measure not a Party one in any sense whatever, but one for the improvement of the Universities. I hope the discussion will be over to-morrow at an early hour, and that we shall be able to report the Bill to the House without further delay.

*MR. CAMPBELL-BANNERMAN: I think I fairly interpret the views of my hon. Friend when I say that the discussion will not take a very long time, so that the wishes of the right hon. Gentleman will probably be realized.

Committee report Progress; to sit again to-morrow.

NATIONAL PORTRAIT GALLERY BILL.

(No. 279.)

The FIRST COMMISSIONER OF WORKS (Mr. PLUNKET, Dublin University): I beg to move the Second Reading of this Bill, the object of which is to make available for the purpose of the National Gallery the piece of ground now lying vacant next to the National Gallery, and facing St. Martin's Church and the Charing Cross Road. By the National Gallery Extension Acts of 1865 and 1866, a piece of ground, of which the vacant piece forms a portion, was dedicated to the National Gallery or to such other purposes of general utility as might be approved by Parliament. Therefore the sanction of Parliament has to be obtained. Since the Acts passed, the National Gallery has been extended, and in case further extension become necessary space will be found in the barrack yard lying behind. Therefore, the trustees of the National Gallery are perfectly satisfied that the vacant land should be occupied, and the trustees of the National Portrait Gallery think that the proposed site for their building leaves nothing to be desired. I beg to move the Second Reading of the Bill.

Bill read a second time, and committed for to-morrow.

COURT OF SESSION AND BILL CHAMBER (SCOTLAND) CLERKS' BILL.

(No. 214.)

Order for consideration, as amended, read.

Question proposed, "That the Bill be now considered."

Debate arising.

Debate adjourned till Thursday.

WINCHESTER BURGESSES (DISQUALIFICATION REMOVAL) BILL,

(No. 223.)

Bill read a second time, and committed for this day.

MOTION.

—o—

VOLUNTEER FIRE BRIGADES (EXEMPTION FROM JURIES) BILL.

On Motion of Viscount Curzon, Bill to exempt certain members of Volunteer Fire Brigades from service on Juries, ordered to be brought in by Viscount Curzon, Sir Edward Birkbeck, Mr. Dixon-Hartland, Mr. Sexton, Mr. Francis Maclean, Mr. Gully, Mr. Baird, and Sir Albert Rollit.

Bill presented, and read first time. [Bill 299.]

REGISTRATION OF VOTERS (METROPOLIS) BILL. (No. 46.)

Order for Second Reading upon Wednesday read, and discharged.

Bill withdrawn.

House adjourned at ten minutes after Twelve o'clock.

HANSARD'S PARLIAMENTARY DEBATES.

No. 12.] FIFTH VOLUME OF SESSION 1889. [JULY 10.

HOUSE OF LORDS,

Tuesday, 2nd July, 1889.

FRIENDLY SOCIETIES ACT (1888) AMENDMENT BILL. (No. 119.)

House in Committee (on Re-commitment) (according to order): Bill reported without amendment, and to be read 3ª on Friday next.

FACTORS BILL. (No. 27.)

Read 3ª (according to order), and passed, and sent to the Commons.

CONSOLIDATED FUND (No. 3) BILL. (No. 117.)

Read 3ª (according to order), and passed.

House adjourned at a quarter before Five o'clock, to Thursday next, a quarter past Ten o'clock.

HOUSE OF COMMONS,

Tuesday, 2nd July, 1889.

NEW WRIT.

MR. MARJORIBANKS (Berwick) moved for the County of Carmarthen (Western Division) in the room of Walter Price Howell Powell, Esquire, deceased.

QUESTIONS.

FLOGGING.

MR. BRADLAUGH (Northampton): I beg to ask the Secretary of State for the Home Department whether he is aware that a prisoner named Jewis died a few months since in St. Augustine's Gaol, Canterbury; whether Jewis was flogged in gaol, and how recently prior to his death; whether the back of Jewis, at the time of his death, was a mass of wounds, partly self-caused and partly caused by the flogging; and whether the Government will lay upon the Table the Report of the prison medical officer relating to this case?

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. MATTHEWS, Birmingham, E.): Yes, Sir; this prisoner received, by the order of the Visiting Committee, 12 lashes on the 3rd of January last, and he died of an apoplectic fit on the 20th of the same month. In consequence of allegations made at the time as to this man's prison treatment, and as to the cause of his death, I ordered a special inquiry to be made last February by the Inspector into all the circumstances of the case. It was stated in evidence by the Medical Officer of the prison that he examined the deceased prisoner the day after his death; that the skin was not broken by the cat, and the self-caused scratches were healed over. A full report on the case was also made by Dr. Gover, the Medical Inspector of Prisons, which I shall be happy to show to the hon. Member, but it would not be usual to lay Departmental documents of this character on the Table of the House.

MR. BRADLAUGH: Will the right hon. Gentleman allow me to see the

document between this and Thursday?

MR. MATTHEWS: The hon. Gentleman can see it at once if he likes.

THE TOWER OF LONDON WHARF.

MR. MONTAGU (Tower Hamlets, Whitechapel): I beg to ask the Secretary of State for War whether he will state how many times in 1888 stores were landed at the Tower of London Wharf, and the quantity and nature of such stores?

*THE SECRETARY OF STATE FOR WAR (Mr. E. STANHOPE, Lincolnshire, Horncastle): The number of times on which this wharf has been used for landing and shipping stores during a particular period affords no source of indication of the use which would be made of it in time of pressure; and I must adhere to my decision (arrived at after careful investigation) that it is inexpedient, in the interest of the public service, to open the wharf to the public. It would be difficult to give an account of the quantity and nature of the stores.

THE WEST SOMERSET YEOMANRY.

MR. LABOUCHERE (Northampton): I beg to ask the Secretary of State for War whether he has received a letter from Messrs. Reed and Cook, solicitors, stating that they are employed professionally for the parents and friends of the late Minnie Yandall, of Taunton, concerning whose death, during the annual training of the West Somerset Yeomanry, an inquiry by the Commanding Officer of the Yeomanry has been promised, and asking that the inquiry should be a public one, and that the parents of the girl should be represented at it; and, what answer, if any, has been made to this letter?

*MR. E. STANHOPE: Yes, Sir; a letter has been received from Messrs. Reed and Cook relative to the case of Minnie Yandall, and those gentlemen have been informed that the Commanding Officer of the West Somerset Yeomanry has carefully inquired into the circumstances of the case by my direction, and that, having considered his Report, I am of opinion that no further steps are necessary in the matter. One point which I referred to in my former answer has been satisfactorily cleared up. I said that in my opinion the officers in question ought to have appeared to give evidence before the coroner. It has now been explained to me that the training being over, the regiment had dispersed, and that those officers had no knowledge whatever of what had occurred, nor were they summoned by the coroner. If they had been informed of the lamentable event which took place, they would at once have applied to be examined as witnesses.

MR. LABOUCHERE: Is no publication to be made in regard to the inquiry?

*MR. E. STANHOPE: No, Sir.

THE SALVATION ARMY AT BUNGAY.

MR. FRANCIS STEVENSON (Suffolk, Eye): I beg to ask the Secretary of State for the Home Department whether his attention has been called to the circumstances under which the Magistrates at Bungay Petty Sessions, on the 20th of June, sentenced Ambrose Sutton, a member of the Salvation Army, to pay a fine of 10s. and 10s. 6d. costs, or in default to go to prison for 14 days, for putting his hand on the bridle of a horse to prevent the driver from running into a small crowd of Salvationists assembled in the market-place; whether it is the fact that the Bench refused to state a case for appeal, and also declined to grant a summons against the driver; and whether he has taken, or will take, any steps with regard to the matter?

MR. MATTHEWS: I have received from the Clerk to the Justices a Report on this case, which gives a totally different statement of the facts from that which is suggested in the hon. Member's question. The Justices could not grant a case, because the point involved was one of fact and not of law. The defendant has, however, given notice of appeal, and, pending that appeal, I express no opinion upon the matter.

THE ALLOTMENTS ACT.

MR. JESSE COLLINGS (Birmingham, Bordesley): I beg to ask the hon. Member for Penrith (Mr. J. W. Lowther) whether his attention has been called to the fact that Mr. Lee, the trustee of the Broughal Charity land, after promising to let the land to the labourers, as directed by "The Allotments Act, 1882," has now let it to a neighbouring farmer, and that Mr. Lee is about to let the land on lease, whereby the men will be deprived of their rights under the Act;

and whether the Charity Commissioners will take immediate steps to compel the trustee to carry out the law?

*MR. J. W. LOWTHER (Cumberland, Penrith): Mr Lee, the trustee of the Broughal Charity land, has not let, nor is he about to let, the land in question on lease. The Commissioners have been informed by him that he has no idea of letting the land on lease, and that he is anxious to carry out the provisions of the Allotments Extension Act, 1882. Mr. Lee has been directed to proceed at once to comply with the provisions of the Act by giving the required notices of setting apart and of letting the land in allotments.

MR. JESSE COLLINGS: Having regard to the fact that the promise was made by Lee months ago and that he has practically ignored the communication from the Charity Commissioners, will the Commissioners take proper steps to ensure that the law shall be obeyed?

*MR. J. W. LOWTHER: We have taken steps. We have written to Mr. Lee and told him that he must forthwithput the Act into force; and if during the next fortnight these notices are not given we will then see what further steps should be taken to compel Lee to carry out the Act.

MR. JESSE COLLINGS: I beg to ask the hon. Member whether he is aware that the trustees of the Church and Town Estates at Mendlesham have refused to set out 27 acres of land, as directed by "The Allotments Act, 1882," and have let the land on lease at 20s. per acre, although the labourers offered 30s. per acre; and, whether, under these circumstances, the Charity Commissioners can set aside the lease, or will direct the trustees to hire other suitable land for the purpose of allotments?

*MR. J. W. LOWTHER: The Charity Commissioners are aware that some 27 acres which the labourers desire to have for allotments have been let on lease, with about 100 acres besides, by the trustees for seven years, from October 11, 1887. The trustees claim to have acted under the powers of Section 4, Proviso 6, of "The Allotments Extension Act, 1882," and the Commissioners are not prepared to hold that the lease if granted in *bonâ fide* exercise of such powers can be set aside. They cannot direct trustees to hire other suitable land; but on this point, which was brought to the notice of the trustees by the Inspector last August, the Commissioners will again communicate with them.

MR. JESSE COLLINGS: Looking at the fact that the trustees have acted deliberately with the intention of setting aside the Act of 1882, may I ask if the Charity Commissioners will exercise their powers under the 10th Clause so as to place the land in the hands of other persons who will be likely to carry out the Act?

*MR. J. W. LOWTHER: I must ask the hon. Member to put the question down for another day. I should like to consider the matter a little more carefully before putting the penal section in force.

THE JAMAICA RAILWAY.

CAPTAIN PRICE (Devonport): I beg to ask the Under Secretary of State for the Colonies whether, in the event of the Government of Jamaica having to take back the railway from the purchasing Company, the three and a half per cent Government Stock to be given to the bondholders in exchange for their mortgage bonds will be chargeable on the general revenues of the Colony, or contingent only on the profits of the railway?

THE UNDER SECRETARY OF STATE FOR THE COLONIES (Baron H. de WORMS, Liverpool, East Toxteth): The Government stock will be chargeble on the general revenues of the Colony, and not contingent only on the profits of the railway.

STREET PROCESSIONS IN LONDON.

MR. CAVENDISH BENTINCK (Penryn and Falmouth): I beg to ask the Secretary of State for the Home Department whether an arrangement can be come to between the authorities of the City and the Commissioner of the Metropolitan Police to put a stop to unnecessary street processions within their respective districts; and, whether he is aware that the obstructions to traffic and general inconvenience resulting from processions in the public thoroughfares are highly disapproved by the vast majority of the inhabitants of London?

MR. MATTHEWS: I believe that the majority of the inhabitants of London disapprove of the obstruction to traffic and public inconvenience arising

processions which do not afford to the eyes or ears of the public any gratification to compensate for the interference with the free passage along the streets which is the common right. I should hope that the good sense and good feeling of those who are fond of walking in processions will induce them to select routes and times which will cause the least possible annoyance to others, and so render police action unnecessary.

JAPAN AND MEXICO.

MR. FRANCIS STEVENSON: I beg to ask the Under Secretary of State for Foreign Affairs whether a Treaty has been concluded between Japan and Mexico by which Mexican citizens are allowed to settle in the interior of Japan for purposes of trade; whether it is the fact that the United States are about to conclude a similar Treaty with Japan; and, whether it is the intention of the British Government to enter into negotiations, with the object of securing similar advantages for British traders?

*THE UNDER SECRETARY OF STATE FOR FOREIGN AFFAIRS (Sir J. FERGUSSON, Manchester, N.E.): A Treaty was concluded at Washington on the 30th November, 1888, between Mexico and Japan, by Article IV. of which Mexican citizens are allowed full rights of travel, residence and trade throughout the country. The ratifications have not yet been exchanged. A Treaty between the United States and Japan was signed on the 20th of February last, which is not as yet ratified, and will, in any case, not come into force till the 11th of February, 1890. It contains provisions in regard to the freedom of residence and trade of United States citizens in Japan. Similar proposals have been made to Her Majesty's Government, and have been carefully considered. Her Majesty's Government hope shortly to commence negotiations with that of Japan for the conclusion of a treaty which shall secure equal privileges to British subjects.

DELAGOA BAY.

SIR JOHN SWINBURNE (Staffordshire, Lichfield): I beg to ask the Under Secretary of State for Foreign Affairs whether the Consul at Mozambique is now at his post or is absent on duty or leave; what is the salary of the Consul at Mozambique; whether the Consul is allowed to trade or to enter into any business whatever in addition to his duties as British Consul; and would he give the like information with regard to the Consul or Consular Agent at Quillamane, and also with regard to the Consul or Consular Agent at Delagoa Bay?

*SIR J. FERGUSSON: Mr. Johnston, the Consul at Mozambique, left for his post some weeks since and should arrive very shortly. He receives a salary of £800 a year. He is not allowed to trade nor to enter into any private business whatever. The Vice Consul at Quillamane is an unpaid trading officer. He is at at his post. The Vice Consul at Delagoa Bay receives a salary of £500 a year, and is not allowed to undertake any non-Consular work. He has recently been invalided home, and, as usual in such circumstances, a resident of the place is acting temporarily in his absence.

THE CENTRAL TELEGRAPH OFFICE.

MR. CAREW (Kildare, N.): I beg to ask the Postmaster General whether the 14 vacancies in the senior class at the Central Telegraph Office, shown in the Estimates for 1889-90, were filled up in December 1887, in favour of clerks who had been waiting at the maximum of their class for 22 months and less; and, whether he will take into consideration the desirability of anticipating the increase in the senior class for next year, in favour of the clerks who have been waiting for two years and four months at the maximum of their class, and are thus in a worse position than the clerks for whose benefit the vacancies for this year were anticipated?

*THE POSTMASTER GENERAL (Mr. RAIKES, University of Cambridge): The telegraphists who were promoted to the vacancies existing in the senior class in December, 1887, had been in receipt of the maximum pay of the class next below since the 1st of April, 1886. In reply to the second question of the hon. Member I can only state that it is not in my power to make appointments where vacancies do not exist.

POST OFFICE, KILAWALLA.

MR. J. F. X. O'BRIEN (Mayo, S.): I beg to ask the Postmaster General on what conditions will he consent to give

a post office to the people of Kilawalla, co. Mayo, in the vicinity of the chapel, the two schools, and the police barrack, the centre of a large population?

*MR. RAIKES: In reply to the hon. Member, I am sorry to say that the only condition upon which I could sanction the establishment of a Post Office at Kilawalla is that a guarantee should be given on behalf of the persons interested to pay the expense involved. Even now the postal service in the direction of Kilawalla entails a loss to the Revenue.

MR. J. F. X. O'BRIEN: Would the right hon. Gentleman require a guarantee from a population of 400 or 500 people in any part of Great Britain? This locality contains a population of 400 or 500 who are obliged to go to Westport, a distance of eight miles for postal purposes.

*MR. RAIKES: If it were a mere question of population I should certainly have to require a guarantee from the residents of any part of the United Kingdom if the post office at such a place were carried on at an actual loss. The establishment of a post office at Kilawalla would, I am informed, involve a loss of revenue, and having regard to the local circumstances, I am bound to ask for a guarantee from the residents against loss.

MR. J. F. X. O'BRIEN: Is not Westport a well-paying post office, and if so, why not let the people of Kilawalla have the overplus?

*MR. RAIKES: I must ask the hon. Member to give notice of the question.

IRELAND—BOYCOTTING—CASE OF JAMES DOYLE.

MR. STOREY (Sunderland): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether it is to be understood that the only act charged and proved against James Doyle was that he put in his own window the placard "No bum-bailiffs or emergency men shod here"; whether the police entered the man's private shop and took down the said placard; if so, under what warrant or what authority of law; and, whether he is aware that Doyle, at the hearing, frankly promised not to put up this placard again, and was nevertheless sent to prison?

THE CHIEF SECRETARY FOR IRELAND (Mr. A. J. BALFOUR, Manchester, E.): Perhaps the hon. Gentleman will allow my hon. and learned Friend the Solicitor General for Ireland, to whom he proposes to address a further question on the same subject, to deal with the matter. In regard to the answer which I gave the other day, I stated that there were other circumstances alleged in reference to Doyle, but I do not think I said that any other overt act was alleged against him.

MR. STOREY: I quite understand that the right hon. Gentleman would make that statement now; but I beg to remind him that he was asked specifically if any other act was alleged against Doyle, and he said, "I think there was." I then asked, "Proved on evidence?" and the right hon. Gentleman said, "I suppose so." I beg now to ask the Solicitor General for Ireland whether his attention has been directed to the case of James Doyle, who has recently been committed to prison, the only act charged and proved against him being that he put in his own shop window a placard, "No bum-bailiffs or emergency men shod here;" whether this is a legal offence under any law or statute other than the Criminal Law and Procedure (Ireland) Act; and whether he will point out to the House under what clause of the Act this is a legal offence punishable by imprisonment?

*THE SOLICITOR GENERAL FOR IRELAND (Mr. MADDEN, University of Dublin): I have inquired into the circumstances of the case referred to by the hon. Member, and I find that there was important evidence before the Magistrate in addition to proof of the act mentioned in the question. It was stated on oath, and not contradicted, that there were emergency men located as caretakers on a farm situated in the immediate neighbourhood of Doyle's shop, on which an eviction had recently taken place; that a very bad state of feeling existed in the neighbourhood against those emergency men, who had since the eviction been refused bread in the neighbourhood; and, further, that the notice exposed in James Doyle's shop was intended and calculated to keep alive this bad feeling, and was calculated to disturb the peace of the locality. Those emergency men were at the time under police protection. Under these circumstances the Magistrate, having asked Doyle to undertake not to do anything calculated to excite ill-feeling

against the caretakers on the evicted farm, and Doyle, having refused to give such an undertaking, ordered him to find sureties to be of good behaviour, or in default to be imprisoned. Doyle was not convicted of an offence, as the hon. Member appears to assume. The jurisdiction of the Magistrate, both under the Commission of the Peace and under the statute 34 Edward III., to require sureties against conduct calculated to lead to an offence against the law or a breach of the peace is clearly established by a number of cases to which I shall be happy to refer the hon. Member. These cases show that the jurisdiction in question may be exercised as a precautionary measure without proof of the commission of a crime, or even after the acquittal of the person accused of the crime, and ordered to find sureties to be of good behaviour. The police were clearly entitled to remove a placard inciting to the commission of an offence against the law, or calculated to lead to a breach of the peace.

MR. STOREY: Do I understand the hon. and learned Gentleman to say that the police were entitled to enter a man's private shop and to take away a placard of this nature?

*MR. MADDEN: Certainly, under the circumstances which I have stated, if the placard was calculated to lead to a breach of the peace or to boycotting.

MR. STOREY: I do not want to be put to the necessity of taking another course in order to bring the matter before the House. I hope, therefore, that I may be permitted to ask whether there was any evidence against Doyle, except that of the policeman, which was as follows:—

"I should say that there is an evicted farm about 200 yards from where the defendant lives, and a notice of this sort was calculated to lead to a breach of the peace. It was plainly pointed at the person in charge of the farm.—Mr. Bodkin (to defendant): Do you hear that?—Defendant: Yes, I do.—Mr. Bodkin: What have you to say to it?—Defendant: Nothing."

I want to know what additional evidence there is to connect Doyle with any other act than the putting up of this placard.

*MR. MADDEN: The evidence which the hon. Gentleman has read to the House clearly shows the existence of a state of things under which, in the opinion of the Magistrate, a notice of this kind was calculated to excite to a breach of the peace and to the commission of the offence known as boycotting. Further, I may mention that there were emergency men at the time, under police protection, and they were in danger of their lives. [*A laugh.*] At any rate they were in danger of serious injury, and a notice of this kind, directed against emergency men, in possession of a farm only 200 yards distant, was obviously calculated to lead to a breach of the peace.

MR. STOREY: Will the hon. and learned Gentleman give me a plain answer to a plain question? Was there any other evidence before the Court against Doyle, of any act whatsoever, except the putting up of this notice?

*MR. MADDEN: The Act proved to have been done by Doyle was what the hon. Gentleman states. But Doyle must be taken to have known the natural consequences of this Act, having regard to the proved state of the district. I leave the House to judge for themselves what would be the effect of putting up such a notice, within 200 yards of where emergency men were in possession of an evicted farm.

MR. STOREY: In regard to another part of the hon. and learned Gentleman's answer, I understood him to say that Doyle refused to give a promise. May I call his attention to the evidence?

"Mr. Bodkin: You promise not to put this notice up again? Doyle: I do.—Mr. Bodkin: And in no way to interfere with these people? Doyle: It has not been proved that I have interfered with them. I cannot promise not to do a thing I have not been guilty of doing.—Mr. Bodkin: Very well, you are bound over to keep the peace."

*MR. MADDEN: The exact words used by the Magistrate were—

"If you promise not to put up this notice in your window again, or to interfere with persons you have no right to intimidate or interfere with, I will accept your promise."

Even according to the evidence read by the hon. Gentleman Doyle refused to make a promise. The very fact that he refused to give the undertaking asked for showed the purpose for which he had put up the notice.

MR. BRADLAUGH: Did I rightly understand the hon. and learned Gentleman to say that there has been any reported case in which the Justices required sureties of the peace to be given under the Statute of 23rd Edward III?

MR. MADDEN: The jurisdiction exists both under the Commission of the Peace and under the Statute of Edward III. I shall be happy to give a Reference to the case under the statute, but I have not got it by me at this moment.

MR. BRADLAUGH: I did not refer to any decision as to the general powers of the Justices; but I asked the hon. and learned Gentleman explicitly whether I understood him to say that there was a decided case in regard to the Justices requiring sureties of the peace under the statute of Edward III? If so, I should like to have the Reference. I know there are plenty of cases under the general powers of the Commission of the Peace.

*MR. MADDEN: Quite so. I am not prepared to say whether there are any decisions under the statute; but this question is irrelevant, for, as I stated to the House, this Magistrate had jurisdiction under the Commission of the Peace.

THE LANCASHIRE COUNTY COURTS.

MR. HENRY H. FOWLER (Wolverhampton, E.): I beg to ask the First Lord of the Treasury whether it is correct that the County Court Judge for Circuit No. 5 has announced his intention of resigning his office; and, whether, having regard to the fact that the number of sittings of this Court, holden before the Judge, were 78 in the last year, steps will be taken to annex Circuit 5 to one of the other Lancashire Circuits?

*THE FIRST LORD OF THE TREASURY (Mr. W. H. SMITH, Strand, Westminster): The Judge has not communicated to the Lord Chancellor any intention of resigning, and it would be premature to say more than that careful consideration will be given whether, on the occurrence of a vacancy, a concentration of the County Courts in Lancashire would be practicable and consistent with the public interest. The districts in question are very populous and important, and it may be anticipated that provision will have to be made for more frequent sittings in the Courts.

CIVIL ESTABLISHMENTS.

MR. BAUMANN (Camberwell, Peckham): I beg to ask the First Lord of the Treasury whether he is now in a position to state when the legislation promised in the Speech from the Throne, and on several subsequent occasions, relative to the Second Report of the Royal Commission on Civil Establishments will be submitted to the House, and when the Treasury Minute relating thereto will be laid upon the Table?

*MR. W. H. SMITH: The Treasury Minute relative to the first and second Reports of the Royal Commission on Civil Establishments is in type; but the pressure of business has been so great that the Cabinet has as yet had no time to deal with the matter.

BLENDING TEA IN BOND.

MR. KIMBER (Wandsworth): I beg to ask the Secretary to the Treasury, with reference to the desire of London wharfingers to be allowed to blend tea in bond for Home consumption, which the Treasury have declined to sanction on the ground of the large increase or cost of superintendence involved, whether the Treasury have since received an intimation that merchants are quite prepared to pay any fair sum to cover the cost of any extra work thrown on the Customs; and, if so, whether such an offer would alter the conclusions of the Treasury?

THE SECRETARY TO THE TREASURY (Mr. JACKSON, Leeds, N.): In answer to my hon. Friend, I have to say that the question of allowing the blending of tea in bond has been most carefully considered; and I am advised that if allowed the expense of supervision would be considerable. It is difficult to see how, if the privilege were allowed at one bonded tea warehouse, it could be refused at any other bonded tea warehouse. The information which comes to me tends to show that it is by no means clear that there is any general or unanimous opinion among tea merchants and dealers in London and in the country that the privilege, if granted, would be so advantageous to the traders as to warrant the very considerable expenditure which would be involved. I do not, therefore, at present feel justified in acceding to the memorial which has been received from one warehouse.

THE BETHNAL GREEN POOR'S LAND.

MR. MONTAGU: I beg to ask the First Commissioner of Works if his

attention has been directed to a proposal to deal with a piece of land, six and a-quarter acres in extent, called "The Bethnal Green Poor's Land," which is adjacent to the Bethnal Green Museum Garden, already under the control of the London County Council; whether he is aware that the ground is leased to the Bethnal House Asylum until Michaelmas next, when it proposed by some of the Trustees, constituting a small majority of their number, to have the land used for building purposes, under authority to be obtained from the Charity Commissioners; whether he is aware that the Trust Deed contains the following restriction:—

"Provided always that none of the said Contributors or Trustees, their heirs or assigns, or any of them, do or shall at any time erect, or suffer to be erected, any building upon the said enclosed premises, or any portion, part, or parcel thereof;"

and, whether he will direct that this open space shall not be used for building purposes, unless sanctioned by special Act of Parliament, as was the case when a portion of the land comprised in the same Trust was used for the erection of the Bethnal Green Asylum?

*THE FIRST COMMISSIONER OF WORKS (Mr. PLUNKET, University of Dublin): I cannot give the hon. Member any information on this subject, of which I have no official knowledge, nor have I any control over the lands to which he refers.

TELEGRAPH ENGINEERING INSPECTORS.

MR. KING (Hull, Central): I beg to ask the Postmaster General whether he has recommended to the Treasury any scheme for the improvement of the salaries of the Telegraph Engineering Inspectors; how long the matter has been under consideration; and, when he hopes to be in a position to carry the proposed changes into effect?

*MR. RAIKES: The matter to which my hon. Friend refers has formed the subject of a correspondence between the Lords of the Treasury and myself since June, 1888, and my last communication to them is still under their Lordships' consideration.

PRISON AUTHORITIES IN IRELAND.

MR. WILLIAM REDMOND (Fermanagh, N.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he will state the terms of any instructions issued by the Prisons Board in Ireland to Prison Authorities, directing them not to require certain prisoners under the Criminal Law and Procedure (Ireland) Act to take exercise with other criminals; and, whether such instructions apply to any other offenders?

MR. A. J. BALFOUR: The hon. Member appears to be under some misapprehension. The General Prisons Board report that no such instructions have been issued by them.

MR. SHAW LEFEVRE (Bradford, Central): If a change has been introduced, by what process has it been brought about?

MR. A. J. BALFOUR: I can only repeat that no instructions of the kind have been given; but if the right hon. Gentleman requires further information, and will put down the question, I will be glad to give it to him.

MR. SHAW LEFEVRE: It is understood that a change has been made so far as the Irish Members are concerned, and I want to know by what process the change has been brought about?

MR. VIZITELLY.

MR. WILLIAM REDMOND: I beg to ask the Secretary of State for the Home Department whether Mr. Vizitelly, recently imprisoned for the sale of indecent books, has been treated in gaol as a first-class misdemeanant; and, if so, whether this was by direction of the Magistrate who tried the case, or the Home Secretary?

MR. MATTHEWS: Yes, Sir; this prisoner has been treated as a misdemeanant of the first division in accordance with the sentence passed upon him by the Judge at the Central Criminal Court on the 27th of May last.

CLERK TO COMMISSIONERS OF INCOME TAX.

MR. PICKERSGILL (Bethnal Green, S.W.): I beg to ask the Chancellor of the Exchequer whether a superannuated assistant secretary, who is drawing a full pension, is also borne on the Estimates of the Inland Revenue Department for an allowance of £150 per annum (active pay), as "Clerk to Commissioners of Income Tax?"

THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN, St. George's, Hanover Square): The gentleman in question formerly held two distinct appointments as Assistant Secretary and as Clerk to Commissioners of Income Tax. He was superannuated in respect of the former, not in respect of the latter, and the pension he draws is only in respect of the former. His continuance in the latter post is due to the fact that it was not considered desirable to make a fresh appointment, which would involve a further claim to pension, and which circumstances might subsequently render unnecessary.

ROYAL ARTILLERY COLONELS.

COLONEL HAMILTON (Southwark, Rotherhithe): I beg to ask the Secretary of State for War whether any steps have been taken to re-assess the additional amounts of compensation granted in August, 1888, to the six Regimental Colonels of Royal Artillery, who, up to that date, had been compulsorily retired for age, seeing that these additional awards have been received under protest; and, whether any steps have been taken to re-assess the amounts of compensation granted to the two Regimental Colonels of Royal Artillery, who have been compulsorily retired for age since August, 1888, seeing that the awards made to them have likewise been received under protest?

*MR. E. STANHOPE: No, Sir; the awards re-assessed up to August, 1888, and those since made (which have been calculated on the revised basis) are considered to give the utmost compensation due.

SAMOA.

MR. BRYCE (Aberdeen, S.): I beg to ask the Under Secretary of State for Foreign Affairs whether it is the fact, as has been stated in the public prints, that Her Majesty's Government have agreed to retire from the position which this country has hitherto occupied as one of the three protecting Powers in Samoa, and to occupy the position of an umpire only in case of differences between Germany and the United States; and, when the Papers relating to the recent Conference at Berlin on Samoan affairs are to be presented to Parliament?

*SIR J. FERGUSSON: As I have already stated, the proposed Agreement respecting Samoa cannot be ratified by the United States until it has been submitted to the Senate, which will not meet till December. Until then it would not be proper to make public any part of the proceedings of the Conference. It follows that I cannot undertake to deny assumptions in regard to it; but I will say that the statement in question has no foundation in fact.

LOCAL GOVERNMENT (SCOTLAND) BILL—THE SERVICE FRANCHISE.

SIR D. CURRIE (Perthshire, W.): I wish to put a question to the Lord Advocate of which I have given him private notice. I wish to know if the Government see their way to extend the Service Franchise in the case of Parliamentary Elections to the County Council Elections under the Local Government Bill for Scotland?

*THE LORD ADVOCATE (Mr. J. P. B. ROBERTSON, Bute): After careful inquiry and consideration, the Government have determined to propose that Service Franchise occupiers shall be entitled to be County Council electors without the necessity of making any claim for that purpose. It appears that the practice is common, if not general, that a deduction is made from the wages of miners and such workmen in the name of rent, the rent being calculated to cover rates. That being so, it has appeared to the Government that we shall be justified in proposing to give the new franchise without special rating in the case of Service Franchise occupiers; but it will also be proper to provide that if an employer pays the rate, but does not deduct it from the wages, he shall be entitled to recover the rate from the *employé*.

COAL DUES (LONDON) ABOLITION BILL.

SIR L. PLAYFAIR (Leeds, S.): I desire to ask the First Lord of the Treasury a question of which I have given private notice. The House has passed the Second Reading of the Bill for the abolition of the coal dues which expire on the 5th inst. The House referred the Bill to a Hybrid Committee, with instructions to inquire whether any equitable conditions could be placed in it to enable the Corporation to meet the debt of £700,000 still owing in respect

of the Holborn Valley Improvement. The Committee have this day reported, and the further consideration of the Bill is put down for to-morrow. I wish to ask what course the Government will adopt in these circumstances? One Amendment made by the Committee was to provide for the continuance of a coal duty of 4d. a ton for 12 months longer in order to give relief to the Corporation in respect of their debts. If the Bill does not pass and become law before Friday next the coal dues at 1s. 3d. will wholly cease, and there will be no taxation on the coals of London. I therefore ask what course the Government intend to take?

*Mr. W. H. SMITH: Looking at the extreme urgency of the case, I think I shall be justified in asking the House to suspend the Standing Order to-morrow so as to allow the consideration of this Bill in the course of to-morrow's sitting. Unless I see any strong feeling on the part of the majority of this House against that proposal I shall put down a notice at the commencement of business to-morrow to that effect.

Mr. JAMES STUART (Shoreditch, Hoxton): I beg to give notice that I shall oppose that Motion.

COUNCIL OF INDIA BILL.

Mr. BRADLAUGH: Will the Second Reading of the Council of India Bill be taken to-day?

*Mr. W. H. SMITH: I am afraid that it will not be possible to reach that Order.

IRELAND—THE ARREST OF MR. W. O'BRIEN.

Mr. GILL (Louth, S.): May I ask whether the Government have had any further information as to what passed at Charleville on Saturday night; and whether they still adhere to the account they have already given?

*Mr. MADDEN: No information has reached me tending to modify the information conveyed to the House yesterday. If the hon. Member desires further information he had better put down a question.

Mr. GILL: From whom did the Government get their information?

*Mr. MADDEN: We received it from two distinct sources; and I have since received no information to the contrary.

Sir GEORGE TREVELYAN (Glasgow, Bridgeton): Have the Government had any information, confirmatory or otherwise, of the statement in the *Times* that the hon. Member for North Monaghan (Mr. P. O'Brien) was seriously injured by the police when he came forward to shake hands with Mr. W. O'Brien?

*Mr. MADDEN: The hon. Member for North Monaghan received injury in the events which occurred at Charleville; but I cannot accept the statement that he was merely going forward to shake hands with Mr. W. O'Brien, and I have reason to believe that the accounts that were first given of the hon. Member's injuries were exaggerated.

Sir G. TREVELYAN: As this is the case of a Member of the House whose personal character is known to many of us, we should like to know in what circumstances the hon. Member has been injured.

*Mr. MADDEN: Later information than is in my possession may have been received by the Chief Secretary, who has just left the House, but who has been sent for on account of these questions being put.

Mr. GILL: The hon. and learned Gentleman stated yesterday that the hon. Member for North Monaghan was engaged in an attempt at rescue when he received his injuries; and I therefore now ask whether the hon. and learned Gentleman has received any information confirmatory of that assertion?

*Mr. MADDEN: I distinctly assert that I made no such statement yesterday. I stated that I was not in a position to give information as to the details of the occurrence, or to say whether it amounted to an attempt at rescue.

Mr. A. J. Balfour having returned to his seat,

Sir G. TREVELYAN: May I ask the right hon. Gentleman whether he can give the House any information about the hon. Member for North Monaghan?

Mr. A. J. BALFOUR: I believe it was stated to the House yesterday that the hon. Member had received some blow in the course of an attempted rescue. There was a large and excited crowd at the station; an attempt at rescue was feared by the police; and in

the *mêlée* which occurred the injury was inflicted.

SIR G. TREVELYAN: I cannot quote the account given in the *Times*; but for personal reasons many of us would be glad to know how it came about that the hon. Member for North Monaghan was injured.

MR. A. J. BALFOUR: It would have been more convenient if the hon. Member had sent me a note half an hour before the House met. My recollection of the account sent to me is that there was a great crowd at the railway station; the crowd was very much excited and surged forward in a violent manner, nearly throwing the police upon the lines; the hon. Member was in the crowd, and in the course of the *mêlée* which ensued, and which put the police under the necessity of preventing any attempt at a rescue, the injuries were inflicted, but I have no reason to believe that they were very serious.

In answer to Mr. T. W. RUSSELL (Tyrone, S.),

MR. A. J. BALFOUR said: I cannot add anything to the information which I gave yesterday. The further information which has been since received confirms the statement which I made yesterday that there was a deliberate and organized attempt to rescue the prisoner, and that shots were discharged in the course of this attempted rescue.

MR. GILL: Did the crowd fire a shot into the carriage in which Mr. W. O'Brien was?

MR. A. J. BALFOUR: I made no such statement. Shots were fired in the course of an attempt to rescue. I know nothing more than that.

MR. GILL: The statement of the Solicitor General was that before the police fired the people had fired into the carriage in which Mr. O'Brien was.

MR. A. J. BALFOUR: Shots were fired in the course of a very violent attack by the crowd, and they were fired by the crowd. It was necessary that the police should show that they were prepared to protect their own lives and to prevent a rescue.

MR. GILL: Were the shots fired by the crowd before the police fired?

MR. A. J. BALFOUR: Yes.

PRINCE ALBERT VICTOR OF WALES.

Message from Her Majesty, brought up, and read by Mr. Speaker (all the Members being uncovered), as follows:—

VICTORIA R.

Her Majesty, being desirous of making competent provision for the honourable support and maintenance of Her Grandson Prince Albert Victor Christian Edward, recommends the consideration thereof to Her faithful Commons, and relies on their attachment to adopt such Measures as may be suitable to the occasion.

V. R.

PRINCESS LOUISE VICTORIA OF WALES.

Message from Her Majesty brought up, and read by Mr. Speaker (all the Members being uncovered), as follows:—

VICTORIA R.

Her Majesty having agreed to a marriage proposed between Her Granddaughter, Her Royal Highness Princess Louise Victoria Alexandra Dagmar and the Right honourable the Earl of Fife, has thought fit to communicate it to the House of Commons.

The numerous proofs which the Queen has received from Her faithful Commons of their loyalty to the Throne, and of their attachment to Her Person and Family, leave Her Majesty no doubt of their readiness to enable Her Majesty to make provision for Her Royal Highness.

V. R.

*MR. W. H. SMITH: I beg to give notice that I shall ask the House to take Her Majesty's Gracious Messages into consideration on Thursday next.

MR. LABOUCHERE (Northampton): Is the right hon. Gentleman going to ask the House to vote provision before the pledge has been fulfilled as to appointing a Commission to consider the whole matter of Royal grants?

*Mr. W. H. SMITH: I have already given notice that I shall ask the House to take these Messages into consideration on Thursday next, and that, I think, will be the fit time to answer any questions of the hon. Member.

Mr. LABOUCHERE: Well, I beg to give notice that, if any proposal is made to vote any money for these objects before the Commission is granted, I shall oppose the Vote.

Sir G. CAMPBELL (Kirkcaldy): Has the right hon. Gentleman overlooked the fact that the Committee stage of the Local Government (Scotland) Bill is fixed for next Thursday? Are the Royal Messages to have precedence over that measure?

*Mr. W. H. SMITH: Yes.

Messages to be considered on Thursday.

MOTION.

ARCHITECTS' REGISTRATION BILL.

On Motion of Mr. Noble, Bill to provide for the Qualification and Registration of Architects, ordered to be brought in by Mr. Noble, Sir Lyon Playfair, General Goldsworthy, and Mr. Justin M'Carthy.

Bill presented, and read first time. [Bill 306.]

ORDERS OF THE DAY.

UNIVERSITIES (SCOTLAND) BILL.
(No. 137).

Considered in Committee.

(In the Committee.)

Motion made, and Question proposed, "That Clause 17, as amended, stand part of the Bill.

*Mr. BRYCE (Aberdeen, S.): I beg to move the omission of Clause 17, which provides that the Commissioners should inquire into the subject of tests now to be subscribed by professors and report to the House. This I do with a view to subsequently moving further Amendments abolishing all tests. Before proceeding to discuss the Amendment, I desire to ask the Government whether they intend to give way on the matter of the declaration now imposed on lay professors and principals, because if I receive an affirmative answer time will thereby be saved, as I shall not enter into any arguments on that part of the subject, but confine myself to the question of the test required from theological professors. One would have supposed that in these days all tests on lay professors would have become wholly obsolete, and I trust the Government will now assure me that they accept, at least, so much of my Amendment as propose to abolish the declaration contained in the Act of 1853.

The LORD ADVOCATE (Mr. J. P. B. Robertson, Bute): As the hon. Gentleman has moved the omission of the clause it will be well, perhaps, that I should invite the attention of the Committee to the two very distinct and separate subjects which come under the general denomination of tests in the Scotch Universities—the lay and the theological. Up to 1853 all the Chairs in the Universities of Scotland could only be filled by persons who subscribed very stringently to the whole Confession of Faith. But in that year the test in regard to all the Lay Chairs was modified, and merely required the professor to declare solemnly that he would not use his position in a manner hostile to the Established Church of Scotland. With regard to this test, it appears to Her Majesty's Government that its object could be attained by proper rules of academic discipline; for a professor who fills a Lay Chair and uses his position as such professor to inculcate theological doctrines is exceeding his province, and can be dealt with by rules of academic discipline. The question is raised in a very distinct form by my hon. and learned Friend the Member for the Inverness Burghs (Mr. Finlay), who has placed on the Paper an Amendment which does away with the declaration of 1853, and will leave the Lay Chairs open without tests. But the case of the Theological Chairs is different. It may be right that there should be some modification of the test, so as to make it one that might be taken by Presbyterians of all denominations in Scotland; but the exact manner in which this modification should be carried out is a matter of a somewhat complex character that requires careful consideration. In the discussion of this question it is quite clear that if, from a philosophical spirit, we treat the teaching of theology as we should treat any other scientific study, and apart altogether from its relation to the profession for which it qualifies,

then we must make up our minds how we are going to adapt the tenure of the Chairs so as to fit in with any scheme of scientific knowledge. That is a subject manifestly suited for dispassionate and careful examination. If we take the more limited view and suggest that these Chairs ought to be open to a limited number of religious denominations who hold the larger doctrines of our Christian faith in common, we must ascertain what are the arrangements or details on which we may secure the consent of the churches. That is the condition of success. We have already equipped colleges of theology outside the Universities; and the disposition or state of mind of the bodies who control those colleges is a matter which lays at the root of their success in adopting any scheme of that kind. We might cut and carve in our Faculty of Theology; we might relegate Biblical criticism and Hebrew to another faculty; we might suppress the remaining Chairs; but we cannot decide on the question of tests until we have made up our minds what we are going to do with the Chairs. There is a necessity for inquiry as to the tests applicable to the Theological Chairs. That is the state of the question. I have sketched it briefly, and I hope fairly. From what I have heard in this House I am unable to discover that there is any strong opinion in favour of tests for the lay Chairs; and when I compare the opinion adverse to the test with the terms of the test itself, I cannot say that it possesses intrinsic qualities which entitle it to any very large amount of enthusiasm. Therefore we have had to see how we can reconcile the just treatment of this question with a proper regard to the various interests outside the Universities — namely, the ecclesiastical bodies who are concerned in that matter. I venture to think that the best solution of then difficulty is now to do away with the tests for the lay Chairs. Accordingly, I am prepared to accept the Amendment of my hon. and learned Friend the Member for Inverness, by which we shall make access to all the lay Chairs in the Scotch Universities open, without exacting from the candidate the smallest requirement which could diminish his independence or his self-respect, while we should, at the same, do nothing to injure the Established Church or the interests of religion. I therefore hope that the statement I have made will remove any difficulty which might have been felt in any part of the House as to the course the Government propose to pursue. We eliminate from the operation of Clause 17 the whole of the Lay Chairs, and we concentrate the attention of the Commissioners on the various problems which I have stated to the Committee. Whatever may be the ultimate decision arrived at as to the test for Theological Chairs, it is surely well that the question should be maturely considered by a body which will treat it from an academical point of view, and that Parliament should in due course be put into possession of all the facts of the case.

*MR. BRYCE: I think the Committee will have heard with satisfaction the statement of the right hon. and learned Gentleman, that the Government at length propose to abandon lay tests. I am glad that it has come now, late in the day as it is. They have hitherto made no sign, and would have allowed Clause 17 to pass in its present shape, and it is not until the present moment that they have admitted that it ought to be amended, so as to be made to refer to the Theological Chairs only. I congratulate the Committee on having this question disposed of, and the Government on having at last made up their minds to get rid of the test. The right hon. Gentleman seems to have overlooked two clauses which stand on the Paper in the names of the hon. Member for East Aberdeen (Mr. Esslemont) and myself, which come before that of the hon. and learned Member for Inverness. Those Amendments will probably be moved because we think that they will deal with the question in a better way than that suggested by the hon. Member for Inverness, which the Lord Advocate seems to wish to accept, in order that he may appear to assist one section of his own supporters. The question of tests for the so-called Theological Chairs still remains to be settled. The test imposed on these Chairs is a very stringent one; indeed, a test more rigid, more exacting in its demands on the conscience can hardly be imagined. It goes far beyond the Thirty-nine Articles, with which this House was often concerned 20 or 30 years ago. The Confession of Faith is a much

longer document than the Thirty-nine Articles, and the test is most stringent and exacting. There are three objections to theological tests—first, that they exclude conscientious men; secondly, that they are ineffective and delusive as a security against unconscientious men who are perfectly willing to take them without believing them; and thirdly, that they narrow the University, make it sectarian, and exclude men who would confer honour upon the University. These arguments apply to all tests, and are so familiar that I need do no more than mention them. However, I admit, as the Lord Advocate put it, that the arguments in favour of the retention of theological tests are, in some points, different from those which apply to lay tests, and I proceed to examine the three on which stress is laid in the present case. It is said that to take away the Theological Faculty from the Established Church of Scotland would be probably to move in the direction of Disestablishment. I do not admit that that is so. There is already a majority of Scotch Members in this House who are in favour of Disestablishment, and I believe that the Scotch people have already made up their minds in favour of it. Therefore, if that argument is used it is not an argument of great force with the majority of Scotch Members. But I do not put this question as if it were a part of the Disestablishment Question, for the exclusive possession of a Theological Faculty in the Universities bound by tests is not essential to the existence of an Established Church. There are countries which have maintained a State Establishment of religion, but no test restricted Chairs; there are, in fact, many and various methods of dealing with the public teaching of theology. I will give three instances. In Germany there are Protestant and Roman Catholic Theological Faculties, but the former are not subject to any test. In Italy there is an Established Church, but theological instruction is not provided in the Universities, but is left to be given in the various seminaries and other institutions entirely under the control of the Catholics. That is another way of dealing with the question, and perhaps not a happy way, because it has tended to narrow and cramp the theological teaching. The most eminent and famous of the Universities of North America has a Theological Faculty, in which there are professors bound by no test whatever. These instances, and many more which I could mention, go to show that there is no necessary connection between the existence of an Established Church in a country and its possession of Theological Chairs in the National Universities. What reason is there that that should be done for the Established Church in Scotland which is not done for the Free Church and the United Presbyterian Church, especially considering that the number of students and of ministers in the two latter Presbyterian bodies is in the aggregate greater than the number of students and ministers in the Established Church? There is a second argument which we may expect to hear from the Government, and that is that there are still Theological Faculties, restricted by tests to the clerics of one denomination, at Oxford and Cambridge. There is, however, one great difference between Scotland and England. In England the theological professors are almost entirely at Oxford, and partly at Cambridge, supported by cathedral establishments, and the fact that they are connected with cathedral establishments is the great difficulty in the way of this branch of University reform. That difficulty does not exist in Scotland because there is nothing in the nature of a cathedral foundation. Why should we who desire to reform the Scotch Universities wait for England in this matter? If an English University Bill were before us we should move to set free the Theological Chairs in Oxford and Cambridge; now that a Scotch Bill is before us, we propose to begin with Scotland. One must begin where one gets a chance. Besides, it is a great deal easier to deal with this matter in the case of Scotland than of England. In the case of England, whatever the statistics be as to the relative number of adherents of the Established Church and of the other Churches, there can be no doubt that the proportion of the adherents of the English establishment—the proportion of ministers and students in the Universities belonging to her communion—is very much larger than the proportion of the adherents of the Establishment in Scotland. The Established Church in Scotland is in a minority as respects

both ministers and students. Ther is also this point to be considered—that the hardships of excluding members of other Presbyterian bodies from the Chair and of practically excluding them from attendance at the theological lectures of the University is greater in the case of Scotland, because the theological differences between the Free Church and the United Presbyterian Church and the Established Church are very much smaller than those which exist between the Established Church and the Nonconformist bodies in England; they are, in fact, so small as to be practically invisible to any but a Scottish eye. The third objection which can be taken to this proposal is one on which I suppose most Members of the House will feel most difficulty, and that is whether you can have a faculty of theology at all which is not bound down by tests to some specific denominational teaching—in other words, can you have Theological Chairs that are not test-bound? What are these Chairs? They are four in number—namely, Hebrew—or, as it is called in most Universities, Oriental languages—Biblical criticism, Ecclesiastical History, and Divinity. As regards the first three of these Chairs, there is no reason whatever why they should be dogmatic or test-bound. The Professors of Hebrew and of New Testament Greek have to deal with questions of scholarship and literary history, and must be permitted to deal with them freely. So the Professor of Ecclesiastical History has to investigate history in a scientific and critical—not in a dogmatic—spirit, and will be more likely to teach well if he is not obliged to accept foregone conclusions. In the University of Cambridge, where a few years ago a Chair of Ecclesiastical History was founded, it was founded as a lay and free Chair, subject to no test; and though the distinguished historian who now fills it is a clergyman, I can say, having been one of the electors, that this happened only because he was the best candidate, and not because he was a clergyman; and in regard to the fourth Chair—that of Divinity, or systematic theology—there are several courses which may be taken. As suggested by the Lord Advocate, it is open to the House either to abolish the Chair altogether, or to throw it open to every Presbyterian denomination, or to keep it as it stands. I confess I should be sorry to see it abolished, as I should be sorry to see the faculty of theology abolished. Apart from any sentimental reason I believe it to be a matter of practical value to the national intelligence and development of national religious thought that there should be a free faculty of theology in the Universities. It is desirable to prevent the subject of theology falling entirely into the hands of denominational colleges, and it is a benefit to the Universities themselves that there should be persons chosen by reason of their special fitness and competency to give theological teaching. There is no difficulty in teaching theology without the authoritative inculcation of dogma. A professor in a free faculty would not be put in his place to say, "This is true, and you must believe it: it is what the State, my master, and the Church to which I belong, hold to be true." He would treat the subject just as professors now treat the subjects of psychology, entology, and ethics. The Lord Advocate suggested that we ought to know what is the opinion of Scotland and of the Scottish religious bodies on this question. The Free Church of Scotland expressed the opinion in its last deliverance on the subject a year ago, that it is desirable that Chairs and a Faculty of Theology should exist, but that they should be subject to no test whatever. The United Presbyterian Church is of opinion that all dogmatic teaching of theology in each of the Universities ought to cease as a State-supported institution. If the professor of theology is not bound to inculcate any particular doctrine, he is not a teacher of any particular religion, so that the objection felt very consistently and logically by the United Presbyterian Church to the present state of things entirely falls to the ground. The view I am pressing upon the Committee is therefore entitled to claim the support of the United Presbyterian Church as well as of the Free Church. The objection may be urged that if there are no tests it may be possible to appoint persons who are not Presbyterians, not Protestants, not even Christians at all. That is, of course, theoretically possible, but my answer is, are we to suppose that the

appointing authority, be it the Crown or the University Court, will commit such an unpardonable blunder, such an insult to the people of Scotland and the Universities as to put in persons who from their professions and position would be obviously unfitted for the post? I think we may look with some confidence to the appointing authority choosing persons who will be suitable for the professorships. However, I admit there may be difference of opinion as to whether this one particular Chair should be abolished, while thinking that it would be a distinct benefit to the country and more compatible with the principles which ought to guide us if the Chair were retained. Last night we adopted an Amendment by which the Commissioners have power to abolish any Chair. So if the Commissioners see fit to put an end to this Chair, they can do so without the need of inserting this 17th clause at all. This is, however, a matter of detail. In proposing to omit this 17th clause, we take our stand on the broad principle that all tests ought to be abolished, and desire to have the opinion of the Committee on that clear and simple issue. The Lord Advocate said the Government proposed to leave the matter to the Commission because there were two questions to be considered: the first question was what the relation of theology teaching should be to the other University teaching, and the second was what concession should be made to the other Presbyterian bodies, if the tests were so widened as to include members of every Presbyterian community. We conceive it is not necessary for the Commission to take evidence on these points. We think the more simple and more excellent method is to abolish tests altogether. The adoption of that course makes it unnecessary to enquire what the relation of theological teaching to other teaching should be. We are persuaded that there is in Scotland no middle course between retaining the present system and an absolute and complete abolition of the tests. The non-established Presbyterian Churches do not wish to be admitted to these theological professorships at the expense of the principles they advocate. I hope I have shown the Committee that there is no necessity for any further inquiry. It is not desirable that this matter should be brought up again in three or four years' time. We conceive that the Committee are now in possession of all the essential facts. We conceive that by simply abolishing the tests we shall put the question upon its true and natural basis. We wish to do the best we can for the religious life of Scotland, and to extinguish the last trace of a sectarianism which has prevented the Universities from being in this respect, as they have been in every other respect, the national possession of the people of Scotland.

THE CHIEF SECRETARY FOR IRELAND (Mr. A. J. BALFOUR, Manchester, E.): I think that the hon. Gentleman dwelt rather too much upon this clause, as if his proposal were the only one consistent with the immutable principles of the party he so ably represents. The Committee is aware that the only difference between the proposal which the Government are now making and the proposal which the hon. Gentleman and his friends made when they were in office in this matter of ecclesiastical tests is that Her Majesty's Government are prepared to give up the lay tests, whereas the hon. Gentleman and his friends never hardened their hearts to make that proposal. I do not say that to convict right hon. Gentlemen of inconsistency. But it is well to remind the hon. Gentleman that three years ago he and his friends did not think that Liberal principles required the sacrifice of the ecclesiastical tests in Scotland. What we have to consider is not the relative claims of the Established Church and the other religious communities in Scotland, but whether we should have any tests whatever, and leave it to the Commission to advise what and how far tests ought to be retained. With regard to fees, let me remind the hon. Gentleman that the portion of the salaries of the professors paid out of the Consolidated Fund is very small compared with the part paid by fees. I believe that in Germany it is not the custom in the case of Protestant Chairs to require theological tests; nevertheless the appointments are made in many cases by the Theological Faculty. In many cases the appointing body is a religious body, and, therefore, the same necessity does not exist to see that the new professor takes the test.

MR. BRYCE: The members of the Theological Faculty in German Universities have not themselves taken any test.

MR. A. J. BALFOUR: With regard to Oxford and Cambridge, the hon. Gentleman has to admit that the principle has been accepted by Parliament, and rigidly adhered to, that in the case of the theological professors subscription to theological tests should be maintained. The hon. Gentleman suggests that great difficulty has arisen in the way of the reforms he has recommended from the fact that these professors, as a rule, were attached to cathedral foundations. It is true in some cases there is that connection. But the reason why Parliament has refused to interfere is not the technical difficulty of settling the relations between the professorial and ecclesiastical functions of these gentlemen. The broad view which has influenced every Government is that in dealing with a subject like theology tests are an absolute necessity, unless we wish to see the whole system dissolved into an amorphous and wholly shapeless condition. That brings me to the four subjects dealt with by theological professors—namely Hebrew, Old and New Testament criticism, ecclesiastical history, and theological dogma. Now, taking the first two together, though it may possibly be said that the study of Hebrew and the study of the New Testament are subjects which may be removed altogether from the Theological Faculty, and placed in some other faculty, yet the hon. Member will see that when a religion is based upon doctrines, and when those doctrines are the whole subject which has to be discussed, it is not possible to eliminate the dogmatic element from the discussion. It is true, of course, and we know plenty of great examples of it, that the Old Testament and the New Testament have been discussed in the absence and to the entire neglect of all theological considerations; but what is the result? The result is that the teaching of the professor who has so dealt with the subject, has in many cases been of the atheological character which I have just indicated. A Chair conducted by a person of the high qualities, say of M. Renan, would not be a Chair devoted to the advancement of anything which in these islands is called religion. It might be for the advancement of what many regard as sound knowledge, but it would not be religious knowledge. The case is almost equally strong as regards ecclesiastical history. Early ecclesiastical history cannot by any human ingenuity be separated from the question of religion. Will the hon. Gentleman contend that the great series of works on the "Early History of Christianity," which M. Renan has just brought to a conclusion are works which can be considered apart from religion? You cannot possibly divorce questions of early ecclesiastical history from the question of Christianity, however wide be the definition which you choose to give to that term. I think the hon. Gentleman when he came to the last Chair which he discussed—namely, dogmatic theology—himself felt that his case was rather a difficult and a weak one. He held out an ideal state of things in which what he was pleased to call free theology should be discussed by the holders of this Chair. I do not know what he means by free theology. If he means the impartial consideration of religious dogma from a purely scientific standpoint, in the first place, that, if you got it, would not satisfy the people of Scotland, and, in the second place, you would not get it. By free theology you would not as a rule get that free discussion from an impartial standpoint of theological dogma; you would have an arbitrary series of theologians, each professing a different creed, none of them accepted by the other as a true representative of scientific theology, and none of them accepted by the Church of Scotland or by any Presbyterian body in Scotland as at all representing their view of what theology ought to be. The hon. Gentleman regarded it as practically absurd either that the appointing body would ignore the fact that the great mass of the people in Scotland are Christians, or that the appointing body would be so foolish as to ignore the general opinion of the people of Scotland and appoint somebody who differed from the people of Scotland in the matter of theology. If that is the argument, then the whole case of the hon. Gentleman is destroyed. I can understand the argument—and from certain points of view have sympathy with it—in favour of perfectly free scientific inquiry into all these matters, but that is not the

point of view of the hon. Gentleman. He wishes to transfer the task of imposing tests on theological professors from the House of Commons to the appointing body. [Mr. BRYCE shook his head in dissent.] Well, I do not see how the hon. Gentleman gets over that. As I understand it the hon. Gentleman thought that if Strauss were to come to life again and compete for a Scotch Chair, or M. Renan, those two eminent theologians would be rejected because their views were not in harmony with those of the people of Scotland. That, I contend, is itself imposing a test, and if that test is to be imposed I would rather it was imposed deliberately by Parliament than left to the caprice of the appointing body. The hon. Gentleman, using a dangerous argument, began his speech by saying that tests were useless because they hamper the conscientious man and they did not hamper the unconscientious man; but towards the end of his speech, he said:—"After all, will not every professor whom you have appointed have the strongest motive to teach a theology agreeable to the students, because will not he consider his fees?"

*MR. BRYCE: The right hon. Gentleman will allow me to explain. I did not say that; what I said was, the theological professor will have the strongest motive for treating with respect and deference the opinions of those who do not agree with him. I never mentioned the fees; I never even thought about them.

MR. A. J. BALFOUR: Well, if we are going to admit that as a kind of motive which is to modify this free theology and this impartial consideration of dogmatic teaching from an impartial standpoint, we, after all, introduce, I will not say a meaner motive, but a much less lofty and creditable motive, than I thought was to actuate those who appointed the professors and those who occupied the professors' Chairs. It appears to me that the complexity of the question which the hon. and learned Member has brought forward, and the number of considerations he himself has been compelled to advance in support of his view, is, in itself, one of the strongest arguments for carrying out the plan which he and his friends were the first to suggest—namely, that of leaving these questions to the Commissioners themselves. They would have the opinion of the people of Scotland, of the great ecclesiastical bodies whose interests they were bound to consider, and of the academical interests of the Universities, and I submit that they will be far more qualified to discuss the question and to lay it before Parliament in a form mature for the decision of Parliament than we could possibly attain to by any other procedure that can be suggested.

MR. FINLAY (Inverness, &c.): I think general satisfaction will be felt in the Committee at the announcement made by the Lord Advocate that the Government are prepared to abolish all tests in the case of Lay Chairs in the Scotch Universities. I certainly should have strongly objected to remitting for the consideration of the Commission a matter which I believe to be ripe for decision by Parliament. It is somewhat remarkable that a reform of this kind should have been delayed longer in the Scotch than in the English Universities. In 1871 they were done with in English Universities; in Scotland we have waited until 1889, and that is the more remarkable in that the Scotch Universities do not, as the English Universities do, profess to supply the moral and religious training for their students. With regard to the other part of the subject, different considerations altogether come into play. On one conclusion there will be general agreement—namely, that in the case of Chairs of Theology there must be a test of some kind. I cannot understand a professor of theology who does not profess belief in a God. My hon. and learned Friend proposess that the professor of theology should teach theology on principles which are absolutely unintelligible. It is to be theology *in vacuo*. The professor of theology is to state every view, but not to express to his bewildered students his predilection for any view in particular. I should like to ask my hon. and learned Friend whether, in fact and in substance, a professor teaching theology on those principles would not be a professor of general scepticism. What would his teaching be? If we had a professor of theology stating every theory and not indicating to his students which theory they ought seriously to consider as representing truth in these matters, we should have a professor of theology teaching his students to disbelieve, in effect, in every theory. The hon. and learned

Gentleman ought to explain how, on his principles, theology could be taught in this fashion. But the hon. and learned Gentleman has given up his position on this point. He is opposed to any direct test, but he advocated doing indirectly what he would not do directly; that is to say, he left it to the Commission to appoint men of particular religious views, while he shrank from adopting the principle that a certain test should be imposed. Of one thing I am certain, that if a Chair of Theology were established on the hon. and learned Gentleman's principles in Scotland it would have no students at all to attend it. The great Presbyterian bodies of Scotland would repudiate it on behalf of their studends if the teaching of theology or cognate subjects was based on such principles. The first conclusion I submit therefore is that there must be some test in the case of Theological Chairs. The second conclusion I submit is that the present test is too strict and too narrow. The Act of Security was passed just before the Union of the Crowns, and it declared that those Chairs could only be held by members of the Established Church, who had not only to subscribe to the Westminster Confession of Faith, but also to submit themselves to the discipline of the Established Church. Since that time circumstances in Scotland have greatly changed, and I believe it is impossible to suppose that the test of that day should be kept in operation at the present time. In these circumstances, how far should we go in this matter? My own view is that we should render these Chairs open to members of the great Presbyterian bodies in Scotland. The doctrines of all those churches are absolutely identical; in point of doctrine there is no difference whatever between the Established Church, the United Presbyterian Church, and the Free Church. Anyone, therefore, should be eligible to a chair in the Faculty of Theology in the Scotch Universities who is prepared to subscribe to the formula which is exacted by those Churches from a man who desires to become a minister in that Church. If this were done we might in time have a combined education for the students of the Presbyterian Churches of Scotland. But some hon. Gentlemen are disposed to go further, and to endeavour to extend admission to those Chairs to those who do not hold the tenets of any one of the Presbyterian bodies in Scotland. I think, however, that this is not practicable, because in these matters we must have some regard to the feelings of the people for whom we are providing the theological faculty, to the people from whom the students for those classes are to be drawn. The certain effect of extending the standard of admission so as to render eligible to those Chairs other persons than those who are prepared to adopt the Presbyterian views of doctrine would be this—the Established Church of Scotland would find it absolutely necessary for the training of its own students to set up a fresh college of its own. The result of having a separate training college for the Established Church of Scotland in addition to the Free and United Presbyterian Churches would be that the professors in the Faculty of Theology would be left without any students at all. The matter in my judgment is hardly ripe for legislation, and I think that the proposal of the Government to remit this matter for Report by the Commission is an eminently judicious one.

*MR. DE LISLE (Leicestershire, Mid): I hope no apology is due from me if, for a few minutes, I intervene in this interesting and important debate. I voted yesterday in favour of retaining the Theological Faculties in the Scotch Universities, but it will not be expected that I shall vote in favour of the theology taught by the Faculties. On the other hand, supporting the legal status of the Established Church of Scotland, I am willing to refer the question of theological tests to a Commission such as is appointed in the Bill before us. As a Catholic I may be pardoned for taking a special interest in the fate of the Scotch Universities. Three of the Universities were established to be bulwarks of the religion I profess, but by strange irony of fate two of them became almost from the first foremost in attacking and seeking to overthrow the faith they were founded to defend. The University of Edinburgh, though founded since the Reformation, was founded by an alumnus of St. Andrew's, so that the Scotch Universities truly owe their being to the Catholic Church. The point I wish to put before the Committee is that in the present day,

with the knowledge we have of the past religious history of these islands, that there are many propositions in the Westminster Confession of Faith which no well-informed Scotchman really believes, and which every well-intentioned Scotchman would wish to be buried in oblivion. I do not refer to the strictly theological side of that document, which, indeed, contains a mixture of theological and political doctrine drawn up—as the historian Clarendon remarks, by men all of them of mean learning, and some of scandalous morals—by men many of them of infamous morals. [Interruption.] An hon. Member says "Rubbish"—I will leave it as matter of opinion, but it cannot be denied that these same persons who formulated the Confession of Faith, not long after sold their King to the British Government for £100,000. But I avoid many points on which the Confession of Faith is open to criticism. I desire to point to certain statements concerning the Church of Rome, to which I belong, which can only be most painful and offensive to thousands of the Queen's Scotch subjects. The two most regrettable statements in the Confession from this point of view, are these—first, that every Scotchman who teaches theology in a University Chair is bound by his promise to hold that the Pope of Rome is in no sense the head of Christ's Church, but that "he is Antichrist, that man of sin, and son of perdition, who exalteth himself in the Church against Christ, and all that is called God," and as a corrollary follows the disciplinary statement contained in the Confession of Faith:—

"And, therefore, such as profess the true reformed religion should not marry with infidels, Papists, or other idolators, nor with such as are notoriously wicked in their lives."

I am certain that no Scotchman in the present day, certainly no University man, will hold that Papists are idolators, and that they should only be put on the same level with persons of notoriously wicked lives. That is a thing which University Scotchmen would wish to see eliminated from the Confession of Faith; also the statements that the doctrine of transubstantiation is blasphemous, that the worship of 200,000,000 of Catholics is a devilish practice, that their Litanies are wicked ones, and that all who observe the festival days of saints are to be punished as idolators. This is not the kind of document which in the present day it is desirable to maintain. Therefore, I should have preferred to have moved an instruction to the Commissioners that in no case shall the Westminster Confession of Faith be any longer an obligation on professors of divinity in Scottish Universities. But I am prepared to leave this grave subject to the consideration of the Commissioners. Besides, I do not wish to support the Radical tendencies of the present day, which would subvert the definite teaching of dogmatic theology in Universities. Honest error, or misapprehension of truth, is sometimes better than indifference to truth. On the other hand, I should like to see the oath now taken modified, not in a latitudinarian, but in a more Christian sense, in a sense which would make the reunion of Christendom more possible, and at least enlarge the bounds and scope of Christian charity so as to enable the conflicting churches to look on each other with respect and goodwill. The declaration made by the Scotch Professors of Divinity is—

"I will never endeavour directly or indirectly to teach or inculcate any opinions opposed to the Divine Authority of the Holy Scriptures or to the Westminster Confession of Faith as ratified by law in the year 1690."

The only change I would wish to see made in this would be to make it run thus:—

"I will never endeavour directly or indirectly to teach or inculcate any opinions opposed to the Divine Authority of the Holy Scriptures, or to the Apostles' Creed as recognised by Westminster Catechism"—

(made by the same authority as that which made the Profession of Faith)—

"to be a brief sum of the Christian Faith, agreeable to the Word of God and anciently received in the churches of Christ."

That is a test, I venture to say, which would be regarded with respect by Christians of all denominations, and all Catholics who live in Scotland would, I think, hail it with satisfaction. Last summer I had the pleasure of visiting many parts of Scotland, and among other places I visited was the church of St. Giles, where I was struck by the evidences which are noticeable of the more Catholic development of religious thought which has been going on in Scotland of recent years. All that ministers to the sense of the beautiful

in sculpture, painting, architecture, and music is no longer banished from the service of religion. Looking back on the history of the Church of Scotland, you see that it has been a reforming church for three centuries. The Church of Scotland 300 years ago reformed itself away from the centre of Catholic unity and what I believe to be the perfection of Christian doctrine; it is now, I am glad to think, reforming itself back again. In supporting this clause, I believe the work of the Commission will tend to remove a painful obligation, and to replace it by a test more conducive to the maintenance of Christian charity and truth.

*MR. HALDANE (Haddington): The hon. Gentleman who has just sat down has embarked on a controversy of considerable width and some danger. I do not propose to follow him into that controversy, but will only observe that in one part of his speech, at all events, he did not show that he appreciated the distinction between the profession of the Solemn League of Covenant and the Confession of Faith, which ought to be present to the mind of every one who ventures on so perilous a discussion. My hon. and learned Friend the Member for the Inverness Burghs has made some remarkable admissions. I listened to his speech with satisfaction, with even more satisfaction than to the speech of the hon. Member for South Aberdeen, because it came from one who can hardly be described as friendly to the attitude of the majority of the Scotch Members on this subject. We had an admission from him that went the whole length we wanted. My hon. and learned Friend at the very beginning of his speech said he was dissatisfied with the law of tests in Scotch Universities, and that he was satisfied they could no longer be maintained. And he said that if the Lord Advocate had not begun by making a certain concession, he should have voted against Clause 17. I challenge my hon. and learned Friend to indicate what test he would put in place of that now in use. We all know the test imposed on Scotch professors. We all know it is a test to which hardly any honest man can subscribe his name. It is a test which implies all kinds of mental reservations and puts people in a position which, certainly, no one occupying the honourable and elevated position of professor of theology ought to be placed in. My hon. and learned Friend says we shall be able to devise some other kind of test. What other kind of test? Why, he told us a sentence or two afterwards that we had not arrived at that period in the history of Scotland when such a test could be devised, and he went on to say that it would be the business of the various Churches in Scotland to discover what were the Articles in their creed which they regarded as essential. It is very remarkable that at the last Assembly of the Free Church of Scotland, which is not the least rigid of all the Churches, a decision was arrived at which practically throws over the Confession of Faith, as it has been preserved hitherto. My hon. and learned Friend says it is essential that the professor of theology should at least believe in the existence of a God. Does my hon. and learned Friend propose to stop there?

MR. FINLAY: I never suggested it should stop there.

*MR. HALDANE: I am pleased to hear that statement, but my hon. and learned Friend did not give any indication of what the test should be.

MR. FINLAY: I did throw out a suggestion that anyone seeking to be admitted to a professorship should be able to subscribe to the faith of one of the great denominational bodies in Scotland. Perhaps my hon. Friend when he has done with what I did not say will come to what I did say.

*MR. HALDANE: My hon. Friend explained in another part of his speech that the denominational bodies are not agreed as to what the beliefs of their own clergymen should be, and he gave that as a reason why this was not the period at which any one could say what was the proper kind of test. The House can give a decision as to whether the existing tests are to be maintained. That is a plain business. We on this side of the House have made up our minds that we will not maintain the existing tests if we can get rid of them, but when we are asked to go further and to say what we would substitute, we are entitled to ask for some indication as to what it is we should be asked to subscribe to.

MR. MARK STEWART (Kirkcudbright): I do not think this House is a very fitting tribunal to judge between the differentia of professions of faith.

I think the Confession of Faith was in the main accepted by the Scotch people, although it is impossible to agree with every phrase in it. So long, however, as it holds its present position, and until the time when the Presbyterian Churches think fit to amend it, I think the House need not trouble itself about the matter. The clause turns over the 17th clause, and what is the alternative to the proposal therein contained? I have listened to the speeches which have been made, and I do not see that there is any solution if the proposal is not accepted, save the total abolition of the test. Hon. Gentlemen may think it very easy to abolish the test, but as a Scotchman I altogether protest against such a thing. The subject is not one which agitates the public mind in any form, and my own view is that the Government, by giving up the tests with regard to the Lay Chairs, have gone as far as they can to meet public opinion in Scotland upon the subject. If they were to go further they would alienate a large majority of the people of Scotland from their side, and it would not be a satisfactory result. I think if the House were to adopt the suggestion of the Government and pass this clause with the limitation indicated by the Government, it would give the greatest possible satisfaction to the majority of the country. I, therefore, deprecate very strongly any further interference in this matter in dealing with the Theological Chairs. I am as certain as I am that I stand here that a large majority of the students who now go to the Universities, would cease to do so if there were no Theological Chairs in existence.

MR. C. PARKER (Perth): The question raised by the hon. Gentleman who has just sat down, as to amending the clause as suggested by the Government will require attention, for they have delayed their concession till the forms of the House hardly permit the alterations to be made in the present stage of the Bill. But I will pass from the question of form to that of substance. I listened with great attention to the speech of the hon. Gentleman beside me (Mr. Haldane), and I agreed with a great deal of what he said, but not with his conclusion. It did not seem to me to follow from the premisses he laid down. Undoubtedly, the religious life of Scotland is highly organized, and if you once admit that you are going to keep the Theological Faculty in our Universities, which certainly the people of Scotland desire, you must deal with the large organized bodies of Christians in Scotland. Of what use will a Theological Faculty be if the principal Churches have no confidence in the professors appointed? The three great Presbyterian Churches are most influential. They have at present their standards of doctrine, and if they change their tests in the future it will be done after full deliberation, and with the consent of every part of the country. It is, of course, possible that without any tests these Churches might be satisfied, were the patronage of the Theological Chairs so vested as to command their confidence. But I doubt if that will be found to be a practical solution of the question, for this reason, if for no other—that professors after being appointed would then be quite free to change their opinions and teach contrary to the standards. The suggestion of my hon. Friend the Member for Inverness (Mr. Finlay) was more to the purpose—namely, that a theological professor should satisfy the requirements of one or other of the Presbyterian Churches to which the great majority of Scottish theological students belong. For my own part, I should be prepared to go further, and include Episcopalian and other smaller Protestant Churches; but that, again, might not be found practical. There are at present two streams of opinion in Scotland working the one against the other. On the one hand, the intensely sectarian feeling upon matters of Church government and the relations between Church and State creates a tendency towards sectarian theological education; and if the Faculty of Theology be abolished, or if all standards of doctrine for the professors be abolished, we shall be promoting sectarian theological education. For the great Churches in that case will certainly keep up separate training for their own students. On the other hand, if a University professor who is an able man satisfies the requirements of one of the Presbyterian Churches his classes will be attended by students from the other two Churches. For there is among the students, and in the country generally, also a contrary tendency towards breadth of thought and rejection of the

old narrowness of sects. Now such being the case I must, in fairness, admit that the difficulty and delicacy of this question about the Theological Chairs, the novelty of it, and the necessity of adjusting it to the satisfaction of the Churches, brings me to a conclusion different from that of the hon. Member for Haddington (Mr. Haldane). I think it well that we should not attempt at present to solve the question offhand in Committee of the Whole House; but rather that the Commissioners under this Bill should first confer with the great Ecclesiastical Authorities of the country upon the subject, and with that large body of Scotchmen who care intensely about religious teaching and theological training in the Universities, and that they should report to Parliament. The House would then have the issue before them in a form which would enable them to arrive at a decision. Therefore, if the Government modify their clause as they propose I shall vote for referring the question to the Commission.

MR. W. SINCLAIR (Falkirk, &c.): I should not have risen had it not been for a few words that fell from the hon. Member for Haddington, who seemed to say that the churches of Scotland are throwing every issue into the melting pot, not knowing what will come therefrom. Such an idea is repugnant to the minds of the people of Scotland. The truth is the Westminster Confession of Faith is a document of some antiquity, and the terminology therein used is not suitable to the present day, and the churches of Scotland are united in this regard. They agree in every respect as far as dogma is concerned, the best proof of which is to be found in what is called mutual eligibility between the various churches, by which a minister from one denomination can be chosen for a charge by any of the other denominations. I must say I think that the clause in its modified form will be acceptable to the people of Scotland.

MR. GLADSTONE (Edinburgh, Mid Lothian): Every one who has listened to the discussion must admit that, though the range of the subject with which we are dealing is not a very wide one, yet the discussion raises questions of the utmost interest and importance, and I think that the situation is a very peculiar one. I am not able to follow the connection between the concession made by Her Majesty's Government regarding the lay Chairs and the course we are to take with respect to the Theological Chairs. The two questions are absolutely distinct, nor can I see why, the Government having done a sensible thing with regard to the lay Chairs, the House should proceed to do a foolish thing with regard to the theological Chairs. The hon. Member for Mid Leicestershire is going to vote for the clause although he thinks the language of the Westminster Confession of Faith quite intolerable.

*MR. DE LISLE: If the right hon. Gentleman will allow me, I said I should vote for the clause in the belief that the Commissioners will so modify the test that the Westminster Confession will no longer be of obligation.

MR. GLADSTONE: I would observe upon that that the Commissioners will have a multitude of things to do for which they will be much more fitted than for framing new theological tests. And they will have no power to frame theological tests. We are told that one of the first things the Commissioners will do will be to get rid of the Westminster Confession. But they have no power to get rid of the Westminster Confession. We have also been told that modifications have been adopted by the Free Church and by the United Presbyterian Church of Scotland more or less varying from the sense in which the Westminster Confession was framed, and that a distinct disposition towards relaxation has been indicated by these Churches. But now the House is going to vote, and the hon. Member opposite is going to vote, that the Established Church should have no power to relax its subscription to the Westminster Confession, the terms of which the hon. Member has said are so outrageous. The effect will be that the professors will continue to be persons who have subscribed to those very terms, and the Established Church, though it may have become disinclined to those terms, will through the vote of the hon. Gentleman and the votes of other hon. Gentlemen who think with him, be prevented from effecting that very modification which he considers to be indispensable in the interests of Christian charity and Christian truth. To my mind, that is an extra-

ordinarily foolish course. I must own I am entirely at a loss to understand the position of the hon. and learned Member for Inverness (Mr. Finlay), who said the question is doubtful, and that the House would do well to refer it to the Commission. But the hon. and learned Gentleman does not doubt that the present test is a bad one; and yet he said that when we see clearly a proposition to be indisputable we ought not to refer it to a Commission, but to vote directly upon it. But the hon. Member is going to vote directly contrary to the principle which he laid down in his speech, and for the maintenance of a test which he disapproves. The maintenance of that test might not prevent a possible reform of it at some future period, but it is proposed, further, to make the test still compulsory with all the objections which can be derived from the extraordinary language of the Westminster Confession, and, on the other hand, from the fact that this vote excludes from the Divinity professorships not only the majority of the people of Scotland, but even the majority of the Presbyterian population, I much doubt the competency of the Commission. The right hon. Gentleman the Secretary for Ireland, in his able and ingenious speech, said that the Commission would be more competent to consider this question than the House of Commons. I have no high opinion of the competency of the House of Commons to frame new theological tests; and I must say that the House of Commons has never in my experience shown more uniform and persistent good sense than in the disinclination it has always shown to mix itself up in matters of this kind. But, as between the Commission and the House of Commons, I cannot see why the Commission would be more competent to frame a new test than the House of Commons. The Government are presuming that a change is required in the tests, but are leaving it to the Commission to feel its way to the formation of some new form of test. That is a matter with which the religious bodies themselves would be perfectly able to deal, each in its own interest and its own sphere; and if they are left free to do so, I have no doubt they will do it in a manner satisfactory to themselves and efficient for the purpose. But to maintain the 17th clause would prevent the most important and the most numerous of these bodies, the Established Church, from making any change or relaxation in the terms of subscription. That is unquestionably the fact. We have now before us the proposal of my hon. Friend sitting near me to meet the case by the abolition of tests. The practical proposal of the hon. and learned Member for Inverness is that the House should enact, and enact by compulsion, tests which do not yet exist, and with respect to which we do not know what they are. I have a great respect for the Presbyterian bodies. But I think Parliament ought not to impose any religious tests. What is the practical objection to the proposal of my hon. Friend? My hon. Friend proposes to leave the matter entirely free to the respective religious bodies in Scotland, and that the House should decline to exact any religious tests. Is there the smallest fear that the people of Scotland and the organ chosen to make these appointments will not discharge their duty properly? Is the sentiment of Scotland so divided, or are the people so divided as to make that duty a difficult one without the supposed security of an enactment which would exclude one-half, or more than one-half, of those who accept the doctrines of Presbyterianism? We have to deal with a reformed country, a Protestant country, one of the most Protestant countries in the world, where not only are the people agreed as to Christianity, but five-sixths at least, or seven-eighths, are entirely agreed in the dogmatic form to which they gave their adhesion. Suppose the Motion of my hon. Friend is rejected. The House would give a new sanction to the principle that half the people who adopt Presbyterianism are to be excluded from these Chairs, and the House will be preventing the Established Church from relaxing the terms of its subscription. But will any practical difficulty arise from the adoption of my hon. Friend's motion? What would happen? A vacancy will occur in a theological Chair, and the University Court will proceed to deal with it. Whom will they appoint? Why, the man most competent to instruct the bulk of the theological students. If they do not they would offend against all the rules of common sense. Presbyterianism will be taught

as it is now taught in these Chairs, but without any reference at all to those remarkable and objectionable words which have been quoted by the hon. Member opposite. This is an argument to which the hon. Member ought to have assigned considerable weight. But the question of tests in the University Chairs is to be decided by votes which in certain cases, like the vote of the hon. Member opposite, and that of the hon. and learned Member for Inverness, are determined by considerations essentially and radically based upon the maintenance in its present form of the legislative union between England and Ireland. It is not to be decided upon its own merits, but upon its possible bearing upon this subject. It appears to me that hon. Members on this side of the House are rapidly learning the lesson of that happy arrangement which has had such beneficial results in Ireland, and the price they have to pay for it. I contend that there are great theoretical objections and great practical objections to the present state of the law, and that it is most unjust that the whole body of Free Churchmen, and the whole body of United Presbyterians, who are just as firm defenders of Protestantism, and rather firmer defenders of Presbyterianism than the members of the Established Church, should be excluded from these Chairs because we choose to determine on an arbitrary test requiring them to submit, not only to the doctrine, but to the discipline and authority of the Established Church.

*SIR G. CAMPBELL (Kirkcaldy): I intend to vote for the omission of this clause for reasons stated by the right hon. Gentleman the Member for Mid Lothian. I shall vote against it because it is unnecessary. For my part I am very much in favour of abolishing the Chairs of Theology, but I cannot accept the view that there can be a Chair of Theology without dogma. Indeed, I am in favour of abolishing theology altogether, as I am one of those who would like to return to the simple principles of Christianity—to the fishermen and the carpenters and the mechanics, and the simple God-fearing men—and to get rid of priests and priestcraft. But as long as we have Chairs of Theology it would not do to have professors who are subject to no test. I altogether object to scientific theologians. If we must have teachers of religion, we must have men who represent certain views. Seven-eighths or nine-tenths of the Scotch people are agreed in their theological confessions and as long as that agreement exists I suppose we must have theological tests. If they are to be modified, it should be by the Churches and not by a Royal Commission. I shall vote for the omission of this clause, but I shall not vote for any proposition to abolish theological tests at present, though I would much like to abolish some Theological Chairs.

THE CHAIRMAN: With respect to the observations made in the course of the debate, I think it right to point out that Clause 17 cannot now be altered. It is put to the House for adoption or rejection. I think it right also to point out that it will not be possible for the hon. Member to move the new clause which he has on the Paper.

MR. FINLAY: Will it be possible to move the Amendment which stands in my name?

THE CHAIRMAN: Yes.

MR. J. A. CAMPBELL (Glasgow and Aberdeen Universities): It appears to me that the right hon. Gentleman the Member for Mid Lothian has misrepresented, unintentionally of course, what the question is which is before the Committee. His speech would imply that we are called upon by the proposal in the Bill to confirm the present tests, whereas the proposal is that the Commissioners shall inquire with a view to ascertain whether any and what changes in the tests are necessary and expedient. I would also take the liberty of reminding the right hon. Gentleman that this clause, against which he argues, was in his own Bill of four years ago.

*MR. DE LISLE: I wish to ask the Lord Advocate whether the construction the right hon. Gentleman the Member for Mid Lothian put upon this clause—namely, that it would stereotype the tests—is a correct construction?

*MR. J. P. B. ROBERTSON: I did not understand the right hon. Gentleman to put that construction upon the clause. Irrespective of that, however, in my opinion the clause does not stereotype these tests. On the contrary, it desires the Commissioners to report as to whether any and what changes should be made upon them.

The Committee divided :—Ayes 219; Noes 157.—(Div. List, No. 167.)

Clause 18.

MR. HUNTER (Aberdeen, N.): I have next an Amendment to propose at the instance of University College, Dundee.

Amendment proposed, Clause 18, page 14, line 38, insert after the word "University," at end of paragraph, these words :—

"In preparing such draft ordinances as relate to University College, Dundee, the University Court of St. Andrew's shall confer with the governing body of that college." (*Mr. Hunter.*)

Question proposed, "That those words be there inserted."

*MR. J. P. B. ROBERTSON: I am afraid I cannot accept the Amendment, because I am not sure it might not have an injurious effect on the friendly relations between the two parties concerned. If we were to provide that there shall be a preliminary conference between them I am not sure whether University College, Dundee, would not be prejudiced by a scheme such as that proposed, and therefore I trust the Amendment will not be pressed.

MR. HUNTER: The clause is one prepared by the authorities of University College, and therefore I think there can be no objection to it from their point of view. I should have expected that the objection, if any, would have come from St. Andrew's. The consequence of passing the Bill as it stands now, would be that there would be no provision at all for any statutory communication between the two bodies. I trust the Government will adopt the words of the Amendment, as the College Authorities are strongly of opinion that it would greatly facilitate the working of the Act.

DR. CLARK (Caithness): I cannot see what objection the Government can have to the Amendment, and I wish to know the ground on which they are opposing it. The University of St. Andrew's is not affected by the Amendment, which simply provides that the professors of Dundee College shall be consulted on matters specially relating to that institution, and this will prevent ordinances being arbitrarily made without the Dundee people being consulted.

THE SOLICITOR GENERAL FOR SCOTLAND (Mr. MOIR T. STORMONTH DARLING, Edinburgh and St. Andrew's Universities): I think the hon. Member opposite can hardly appreciate the position as regards time. The Government are willing to give all possible facilities for the affiliation of Dundee to St. Andrew's, but the view we take is that this clause might tend to impede rather than to forward the negotiations. I may point out that the Act comes into operation on the 1st January next; but the ordinances need not be lodged until six months after that, and I should hope that long before that time the negotiations will have been concluded one way or other. There ought certainly to be the fullest consultation between the two bodies voluntarily; but I think it would be a mistake, when everything depends on consent, to make it a matter of statutory obligation.

DR. CLARK: I do not think the hon. and learned Gentleman quite appreciates my point. If the University Court of St. Andrew's is making ordinances with reference to University College we ask that those ordinances shall be submitted to those who will be affected by them. Surely that is a reasonable proposal, and what objection can there be to consulting the professors at Dundee on proposals which solely affect them?

*MR. J. B. BALFOUR (Clackmannan): It will be in the power of either Party to secure a frank interchange of views with regard to proposed ordinances, but why propose that there shall be compulsory negotiations? I think the Amendment is unnecessary, and will be probably mischievous in its operation. If a union is to be brought about between University College, Dundee, and St. Andrew's University, there must, from the necessity of the case, be an interchange of views between the two bodies. But there is no reason why there should be a special and exceptional provision inserted in the Bill for that particular case. Indeed I think the proposition would give rise to great dissatisfaction in other colleges throughout the country.

SIR W. FOSTER (Derby, Ilkeston): I am anxious in the interests of education, and for the efficiency of St. Andrew's, that University College shall be forthwith amalgamated with St. Andrew's University. The colleges

to be affiliated hereafter are in a totally different position to University College, Dundee, which offers means of increased usefulness, and I think it would be well if the Amendment were agreed to.

*MR. C. S. PARKER: I do not believe that the adoption of this Amendment will make much difference. But University College, Dundee, is in a somewhat exceptional position, and I am not aware that St. Andrew's has any objection to this proposal. As Dundee is anxious for the Amendment, I think it would be better that it should be inserted in the Bill.

*MR. BUCHANAN (Edinburgh, W.): I hope the Lord Advocate will not agree to the insertion of the words. Negotiations will, of course, have to take place for carrying out the provisions of this Bill, but if we make this exceptional provision, we shall, I think, be showing a want of confidence in the *bona fides* of St. Andrew's in proceeding with the ultimate development of a large and conjoined University of St. Andrew's and Dundee.

MR. HUNTER: The Solicitor General for Scotland has spoken as if the application of St. Andrew's and University College will immediately take place. But that is quite out of the question, and it can only occur after a full agreement has been arrived at on matters of detail between the two institutions.

*MR. M. T. STORMONTH DARLING: Affiliation cannot formally take place until after the Bill comes into operation; but there is nothing to prevent the negotiations beginning the moment the Bill becomes law.

MR. HUNTER: Of course negotiations will take place on advances prepared by the University Court of St. Andrew's specifically relating to University College, Dundee; what possible reason can there then be for objecting to this Amendment.

DR. CLARK: There is an additional reason why the Government should give way on this point. If you refuse opportunities for discussion, the University College Committee will have to obtain the end they have in view by a public Bill, and you will obviate the necessity for that, and there need be no friction if you allow matters to be arranged in private conference. The right hon. Gentleman the Member for Clackmannanshire seemed to think we were proposing to place the Dundee College in exceptional position, and that no other colleges would be affected by the proposal. But the colleges afterwards affiliated will come into the settled plan. I therefore cannot understand why the Government are opposing.

The Committee divided:—Ayes 97; Noes 160.—(Div. List, No. 168.)

Clauses 18 and 19 agreed to.

Clause 20.

SIR GEORGE TREVELYAN (Glasgow, Bridgeton): I can hardly think that the right hon. Gentleman fully comprehends the force of the words which by my Amendment I propose to omit, for they appear to me to give the Chancellor automatic powers in regard to future alterations. I think it is an innovation which is not satisfactory. In no other part of the Bill, as far as I can remember, has the Chancellor practically operative power, except that he sits as a member of the University Court, where, of course, he can be out-voted by other members. But I take it that under this clause, he will be able absolutely to hinder any new ordinances being passed. It is impossible for one who has read over the names of the Chancellors not to feel the greatest respect for these imminent men, but still they are only individuals, and future holders of the office may not be such men as we should like to see entrusted with these enormous powers. If the Government would consent simply to omit these words, there are plenty of other provisions in the Bill to safeguard against the passing of new ordinances hastily conceived and rashly proposed.

Amendment proposed, Clause 20, page 16, line 13, leave out "Consent of the Chancellor signified in writing, and the."

Question proposed, "That the words proposed to be left out stand part of the Clause."

*MR. J. P. B. ROBERTSON: I hope that the right hon. Gentleman will not press this Amendment. I think there is no reason to fear that the Chancellor will use the power to interfere with the decisions of the University Court; the

proposal is rather a ceremonious method of authenticating the resolutions come to by the authorities of the Universities.

MR. HUNTER: I hope that the right hon. Gentleman will not withdraw the Amendment. I believe there is no University official whose services could be more easily dispensed with than could those of the Chancellor. In a Scotch University the Chancellor is appointed for life, and thus you would put it into the power of one official to obstruct all University reforms for a very long period. You are giving him power which I contend should only appertain to the Houses of Parliament.

MR. CALDWELL (Glasgow, St. Rollox): I also hope that this Amendment will be pressed. It is not a mere matter of form, as the Lord Advocate seems to infer, but you are proposing to confer upon one individual, for life, powers which will enable him practically to defeat all reforms which the University Court may wish to carry out. I think the provision that the ordinances shall be sanctioned by Her Majesty in Council is a sufficient guarantee to the public that the ordinances have been properly considered. Yet you are proposing to give the Chancellor greater power than that which you are giving to Her Majesty in Council. If he chooses to veto the consent of Her Majesty in Council he will be able to do so. I think such a proposal as this cannot be acceptable, and it seems to me outrageous that we should have a University Court established upon a popular basis, and at the same time allow a Chancellor elected for life to veto its deliberations if he so chooses.

*SIR LYON PLAYFAIR (Leeds, South): I think the power proposed to be given in this clause to the Chancellor is not consistent with the principle of the Bill. The Chancellor holds a high office, the dignity of which I wish to see maintained; but I do not think he should have power to refuse his sanction to any ordinances which the various University Courts may pass. He ought not to be allowed on his own *ipse dixit* to say that certain ordinances shall not take effect. Perhaps in order to save the dignity of the office, and at the same time to deprive the clause of its more objectionable features, the Lord Advocate will agree to provide that the ordinances shall be transmitted in writing through the Chancellor to Her Majesty in Council. You might do away with the words insisting that he shall signify his consent in writing to them.

*MR. J. P. B. ROBERTSON: The suggestion of the right hon. Gentleman is one which I feel it my duty to accept, and if the right hon. Gentleman will move an Amendment accordingly, I shall be willing to agree to it. We are in this Bill enlarging the powers of the Chancellor in another region, for we make him one of the Universities Committee, which ultimately decides on the Ordinances.

Question put, and negatived.

Further Amendment proposed, to insert after "fit" the words "shall be transmitted by the Chancellor for the approval of Her Majesty in Council."

Amendment put and agreed to.

MR. HUNTER: I propose to modify this clause by the insertion of a provision that the ordinances shall not be valid unless they are sanctioned by both Houses of Parliament. I cannot understand upon what principle this clause has been drawn. Previous clauses relating to the making of ordinances require that they shall be laid upon the Table of both Houses of Parliament. This clause gives the same power to the University Court as a Bill gives to the Commissioners with respect to the ordinances which have been paid by the Commissioners; and I should like to know why the ordinances to be passed by the University Court should be valid without the consent of Parliament. The legislative power which we delegate to the Commission is extensive. and I think we ought to require a guarantee that their ordinances shall be submitted to Parliament. I venture to suggest that we are going too far in allowing the University Court to pass ordinances which need only to receive the approval of the Privy Council, and I may point out that the Privy Council would rarely interfere with ordinances of this kind, unless they were likely to affect the rights of property or of individuals. I hold the proper tribunal to control these ordinances would be the Houses of Parliament.

Amendment proposed, Clause 20, page 16, line 38, leave out all after "has been" to "thereon" in line 41, and insert "laid before both Houses of Parliament in the manner provided by Section 19 of this Act."—(*Mr. Hunter.*)

Question proposed, "That the words proposed to be left out stand part of the Clause."

*MR. J. P. B. ROBERTSON: Under the scheme as it now stands, after the Commissioners have finished their work, the University will be completely equipped with bodies constituted under statute, and drawn from all possible representative sources. When these bodies are established it is contemplated that the University will have sufficient power to enable it, from time to time, to alter its own ordinances, and a double check is provided in the Bill to secure that this is done under proper conditions; all matters of dispute will have to come before the University Committee. It seems to me that these ordinances stand in a widely different position from the ordinances of an Executive Commission which has powers delegated to it by Parliament for only a limited period. Work done by such a body may be properly subjected to Parliamentary review, but once you have a complete and autonomous system established, such as is contemplated in this clause, I think it would be undesirable that there should be constant discussion in Parliament upon any alteration—large or small—which it may seem fit to make.

*MR. CAMPBELL-BANNERMAN (Stirling, &c.): I am sorry the right hon. Gentleman does not accept the Amendment. Although there is some force in what he says, I am rather impressed by this view—that the first ordinances passed would be the result of the action of the Commission appointed under this Act, and would be passed under the impetus now given to the question at a time when the eye of the public is fixed upon the matter; but the clause also enables the Universities in a certain manner to alter old ordinances and to pass new ones, and it might be possible for ordinances of a reactionary, objectionable character to be passed without the public generally knowing anything about it. If the ordinances complete the work of the Commission and carry it out satisfactorily, then Parliament will have an opportunity of admiring them if this Amendment is agreed to, and, on the other hand, if there should be any departure from the intentions of Parliament in any respect, then the House should, at all events, have power to express an opinion upon it. I do not think it would be any derogation of the dignity of the Universities to have the proceedings reviewed by Parliament.

DR. CLARK: I must congratulate the right hon. Gentleman on the very bold principle he is advocating. The High Court of Parliament has generally been considered to be the final Court of Appeal. You have hitherto placed Scotch Universities under the control of Parliament, but now you are going to abolish that and give the University Court power to make ordinances upon which Parliament will not be allowed to express an opinion. You are going to give a body control of money which used to be voted by Parliament, and if the Bill is carried in this form the House will no longer have any power over higher education in Scotland, either in the way of granting public money, or of controlling its expenditure. Before long, however, we shall have our own Parliament in Dublin, and then we will see that it has control over the Universities. If the ordinances have to receive the approval of Parliament when first passed, any alteration subsequently made in them should also be submitted to the House for its consent.

*MR. D. CRAWFORD (Lanark, N.E.): May I point out that it is possible—although very improbable—that ordinances extremely unpalatable to particular University Courts might be passed and then when the powers of the Commissioners have expired the Courts would be able to turn round and revoke the ordinances. The only check upon that would be the supervision of the Universities Committee and I do not think that that is at all comparable to the supervision of Parliament. The occasion on which Parliament would deem it necessary to discuss these ordinances would be extremely rare—as is the case with the schemes laid on the Table by the Educational Endowment Commissioners. I do not think that there is anything in the Bill which should make the Government reluctant

to grant this concession, and I therefore hope the Lord Advocate will agree to the Amendment.

MR. BUCHANAN: It may be in the knowledge of the House that under the Oxford and Cambridge Commission Act, passed 10 years ago, the Statutes framed by that Commission had to be laid before Parliament. The laying them on the Table of the House has, as a rule, been a mere formality, and I believe that in only one instance has there been a discussion on them. I would therefore urge the Lord Advocate to consent to the Amendment.

*MR. BRYCE: I have here the Oxford and Cambridge Statute, and I find that everything is to be laid before the Houses of Parliament.

*MR. J. P. B. ROBERTSON: I am perfectly willing to assent to the Amendment.

Question put, and negatived.

Question, "That these words be there inserted," put, and agreed to.

Clause 20, as amended, agreed to.

Clauses 21, 22 and 23 agreed to.

Clause 24.

MR. HUNTER: The Amendment which stands in my name is one of considerable importance, but before moving it, I should like to know how the Government intend to fill up the blank that follows immediately after the Amendment.

*THE CHANCELLOR OF THE EXCHEQUER (Mr. G. J. GOSCHEN, St. George's, Hanover Square): £42,000.

MR. HUNTER: Then I will move the Amendment.

*MR. G. J. GOSCHEN: It may be convenient that I should say that there is a certain direction in which it would be possible for the Government to give further assistance. This perhaps is not the proper moment to enter into that question.

MR. HUNTER: It will not affect this Amendment. It has long been the practice of putting a charge on the Estimates for the Scottish Universities. The measure of the late Liberal Government contained a finality clause, and it was part of the idea of finality that the money granted should be thrown on the Consolidated Fund. That policy was abandoned; no convenience whatever can arise from charging the money on the Consolidated Fund, but on the contrary great inconvenience, both financially and otherwise, must arise from adhering to the present form of the Bill. I need hardly point out that if the clause passes in its present form the Scottish Universities will be entirely withdrawn from the control of Parliament. At the present moment there is an effective form of expressing public opinion with regard to the condition of the Scottish Universities upon the Estimates. It is true it seldom happens that the time of the House is occupied with discussions as to the Scottish Universities, but the Estimates afford an opportunity for public criticism of the University administration. Whatever difference of opinion there may be as to the propriety of taking the money of the taxpayers, which is for the most part the money of poor men, and applying it to University education, there ought to be no difference of opinion upon this, that Parliament in giving the money should not cease to exercise control over the manner in which the money is spent, and the way in which the institutions are conducted. It is quite contrary to the rules of finance that charges of this kind should be put on the Consolidated Fund. Of course charges that are not susceptible to increase or decrease may be placed on the Consolidated Fund, but under ordinary circumstances nothing can be more inconvenient than to put a charge like the present on the Consolidated Fund. But I have a special objection to this proposal. We are going to establish a Commission with power to establish new professorships, and to incur various other expenditure on the part of the University. There is an opinion entertained by very competent persons that £42,000 is inadequate even for what may be called the necessary reforms of the Universities. It seems to me that financially the Bill puts the cart before the horse. Instead of coming to the Chancellor of the Exchequer with a definite scheme showing how much money is required, the Bill proceeds on the other tack. It says "give us money, and then you shall see what we do with it." All the difficulties can be got rid of, if we adhere to the present system of putting the money on the Estimates, taking for the year what is necessary for

the year. I would put it to the Chancellor of the Exchequer that before the Scottish Universities should be entitled to come to the general taxpayers in England, Ireland and Wales for more money they ought to be in a position to show that they use properly the money they obtain now. There can be nothing more certain than that in the University of Aberdeen and St. Andrew's the sum of £4,000 is not beneficially and well employed, because it is used in training only 63 students. The sum is altogether unreasonable compared with the general requirements of the University, and it would be easy, without obtaining much more money, for the Exchequer to entirely equip the Arts Faculty in Aberdeen and St. Andrew's with all that is required. I say, therefore, there could be nothing more inconvenient and improper than the charging of this money on the Consolidated Fund, and I hope the Government will see their way to accept my Amendment.

Amendment proposed, Clause 24, page 17, lines 37 and 38, leave out "charged upon the Consolidated Fund on the growing produce thereof" and insert "paid out of moneys to be provided by Parliament."—(*Mr. Hunter.*)

*MR. CAMPBELL-BANNERMAN: It would be convenient, in order that we may make up our minds on this question, if the right hon. Gentleman the Chancellor of the Exchequer would explain what effect the Bill as it stands will have on the annual Vote we at present pass for the Universities, and in fact what the financial position of the matter will be as regards the House of Commons.

DR. CLARK: I should like to ask the right hon. Gentleman this question. Taking away from the Vote the sums for the Observatory and the Royal Botanic Gardens, there are £38,000 on the Estimates this year. With the additional £4,000 offered there will be £42,000. How then do the Government make out that they are giving us £13,000 and not nearly £4,000?

SIR G. CAMPBELL: Before we go into these questions of detail, I think we ought to settle whether the money is to be put on the Consolidated Fund or not. For my part I heartily support the Amendment. It seems to me that the Consolidated Fund is an abomination and the refuge of all sorts of abuses. We go on paying by means of it for the feeding of hawks that never existed and for various other abuses, and I think it much better that we should have control yearly over the sum we grant. The Amendment is a kind of self denying ordinance on the part of Scotch Members, and I hope it will be accepted.

*MR. G. J. GOSCHEN: This proposal has been based, like others in the Bill, on previous recommendations, and on the proposals of previous Bills. I do not know the motives which influenced the right hon. Member for Clackmannan (Mr. J. B. Balfour) to put a clause of this character into a previous Bill, but no doubt the right hon. Gentleman can give the Committee adequate information on the point. I can, however, conceive a most excellent reason why the sum should be put on the Consolidated Fund. By this arrangement the Universities are to rely upon themselves. Parliament will place a certain amount of money at their disposal, so that the Universities can make both ends meet according to their own necessities. Parliament will not vote every year so much money for one purpose and so much for another, but the finances of the Universities will be put into the hands of the Universities themselves. By this means they will be administered from an academical and not from a House of Commons point of view. It appears to me that when the Commission have arranged the finances and the general management of the Universities it is desirable that the system should have a fair trial, and that the House of Commons should not interfere every year, as hon. Gentlemen wish, with new suggestions and thus practically take part in the financial administration of the Universities. From the educational point of view, therefore, the proposal of the Government seems to me the right one. If this sum were put on the Consolidated Fund, of course the items would disappear from the Estimates, and the amount would be placed at the disposal of the Universities, who might, from time to time, I presume, recast their endowments or their general expenditure according to the exigencies of the time. I think it will be necessary and desirable that the Scotch Universities should

furnish more information to the House than is furnished by similiar institutions which have no endowment, but that will not be the same as casting upon the House the duty of annually voting the salaries of professors and so on.

*Sir G. TREVELYAN: I gather that the right hon. Gentleman the Chancellor of the Exchequer wishes us to dispose, first, of the question whether this money is to go into the Estimates. As to the previous Bills which did not pass the House, I am sure the right hon. Gentleman will not press his observations too far, because those bills were not brought forward with the full knowledge on the part of every one concerned which these debates have supplied. Hon. members who have followed the debates in this Committee must have felt that much further knowledge has been gained by these discussions. There is no doubt that the essence of previous Bills was that a lump sum should be handed over each year to the Universities; that responsibility should be placed on the Universities to dispose of this sum for the best academical purpose within the scope of their intelligence; and that the intention of Parliament was that they should be left to themselves and not kept within leading strings. It was therefore thought that the only mode of giving expression to that view was to put the charge on the Consolidated Fund. If the Bill passed in its present shape, of course it is necessary that the items should disappear from the Estimates. At present the salary of each professor is voted, but if the Chancellor of the Exchequer will go back to Vote 8, Class IV. of the Estimates he will see how kindred cases have been dealt with by Parliament. Under the Bill, £42,000 will be given in aid of the expenses of the Scottish Universities. At present the State gives £2,000 in aid of the expenses of the Victoria University, and £4,000 each in aid of the expenses of the three Welsh colleges. I think that is a much more satisfactory way of giving the money than the way in which it was formerly given to the Universities of Scotland. The items will disappear from the Estimates as much as if the money was placed on the Consolidated Fund. I think we should do very well to adopt the principle of entering on the Estimates the lump sum that is given. By adopting such a system we shall, without retaining too minute a control of expenditure, keep it within our control generally; whilst meeting every condition laid down by the Chancellor of the Exchequer in his speech.

Dr. CLARK: Are we to understand that the Government refuse to accept the Amendment in the modified form proposed by the right hon. Gentleman who has just sat down—namely, that the Scotch Vote should be placed in exactly the same position as the Welsh Vote and the English Vote?

*Mr. G. J. GOSCHEN: To tell the truth, the view of the right hon. Gentleman comes upon me, and, I presume, upon my colleagues, somewhat as a surprise. I do not make the slightest complaint, but I had anticipated that we were practically in accord on the subject, and therefore we have not discussed this particular point among ourselves with very great minuteness. Perhaps the best course under the circumstances would be to reconsider the point before Report. I have not myself the right to personally decide the question, because the tendency of the Chancellor of the Exchequer is nearly always to keep things on the Votes, and not to put them on the Consolidated Fund. I should, therefore, like to have time to consult with the Lord Advocate. I quite admit that putting a lump sum upon the Votes would considerably modify the objections to which I called the attention of the Committee.

*Sir LYON PLAYFAIR: Personally I would very much like to see the change proposed by my right hon. Friend carried out. The system of granting a lump sum out of the Consolidated Fund has not worked well in the case of the Queen's Colleges, and I think the better plan is to put the amount upon the estimates.

Mr. HUNTER: I ask leave to withdraw my Amendment, having regard to the promise to bring up the question on Report.

Dr. CLARK: Will the right hon. Gentleman consider that if the sum is not placed on the Estimates the only difference will be that a discussion will take place on a Tuesday or a Friday, and therefore the question will still be brought forward.

Amendment, by leave, withdrawn.

*MR. G. J. GOSCHEN: With reference to the proposal that the grant to the Universities should be £42,000, several representations have been made to me that the sum is inadequate for the purposes for which it is intended. An hon. Member has asked me how the sum is arrived at, and whether it is true that the increase upon what the Universities receive at present is £13,000. I think the hon. Member will see that the present sum is between £28,000 and £29,000, and if we add to that £13,000 or £14,000, we bring the amount up to £42,000, which is what we propose to put in the Bill. All the Universities have carefully examined the matter for themselves, and have arrived at the conclusion that that is the increase. But it has been considered an insufficient increase. I have examined the matter with great care, and I am bound to say that before I could admit that it was insufficient, I should have to look at the present financial administration of the Universities. I have pointed out on several occasions that there appears to me to be a resource open to the Universities not usually taken into account—namely, the extremely large emoluments of a certain proportion of the professoriate, emoluments which seem to me, looking at the matter with English eyes, to be quite out of proportion to similar emoluments enjoyed elsewhere. I have, by the courtesy of the right hon. Member for Leeds, been supplied with certain statistics which show that there are four professors receiving between £2,000 and £3,000, 23 professors receiving between £1,000 and £2,000, 25 professors receiving between £700 and £1,000. These are all very high emoluments compared with similar emoluments enjoyed in other Universities. I think it will be one of the first duties of the Commission to review the scale of salaries enjoyed by the professoriate above a certain line. Not only do these professors receive these very high emoluments, but they are entitled to pensions, not only upon the basis of their salaries, but upon that of their total receipts, which include the large amount of fees which they receive from the students, an indeterminate sum which may run up from year to year. The system of pensions to the professors and teachers in the Scotch Universities will require reconsidering. When it is said that there are new Chairs which must be founded, and new directions in which expenditure must be undertaken, I must point out that there is a very large margin in the salaries of the existing professors. I am aware there are some Members of the House, and a great many professors and others out of the House, who think, on the whole, that if we were to redistribute this money amongst all the existing professors, there would not be much left for the endowment of any new Chairs. I am not prepared to agree to that. I think these emoluments are in many cases so large that there is a considerable margin for economy and for the endowment of new Chairs, and for carrying out some of the objects which will be put before the Commission. I believe it will be one of the first duties of the Commission to revise the old scale of salaries and emoluments, and in the course of their labours they may find that they have to deal with some existing interests which will give them a great deal of trouble. I am not prepared to increase the amount specified in the Bill beyond £42,000. But if the Commission, when it enters on its labours, should submit a general revised scale of emoluments in the Universities, and if in that process they should find themselves, as they probably will, involved in pecuniary difficulties with regard to compensation, I should be prepared to recommend to the Government a moderate increase of the annual amount already named, or a sum down, in order to enable the Commission to deal with that most difficult problem. But I should only consent to do this on one condition—that the compensations granted should be reasonable, and that the system of pensions should be such as would commend itself generally to the House. I think it would be wise for the Treasury to keep a certain liberty in that matter, as it would be a protection to the Commission against many influences which are absolutely certain to be used to induce them to be too liberal in the scale of those pensions. I foresee that the University Commission may be somewhat crippled in its movements if it has not a little latitude in regard to the funds at its disposal for the purpose of revising the scale of emoluments, and with that intent I shall be glad if I can render some further assistance.

Amendment moved, line 38, insert "£42,000."

Question proposed, "That £42,000 stand part of the clause."

MR. CALDWELL: There is one point to which I should like to call attention. The Chancellor of the Exchequer seems to think that all the professors have very large salaries, but I would explain that this arises from the great number of students. The fee of each student is three guineas, and if there should be a distribution of these fees between several professors so that each should have only what might be considered a proper number of students, the emoluments of each professor would sink very considerably unless the fees were increased. I think it will be agreed that three guineas is the lowest at which a fee could be fixed. No one can suppose that good professorial teaching can be had for less. The apparent largeness of the salaries arises from the enormous number of students each professor has in his class. The reform of the system will probably break up each class into smaller classes, but every penny of the amount now devoted to teaching will be used though it be distributed among more professors. The source to which the right hon. Gentleman looks for a fund will not, therefore, be available. Every penny will be required for the professorial teaching for which the student pays his fee.

*MR. G. J. GOSCHEN: That is precisely the purpose for which more money is asked, for the Commission recommended that there should be more teachers, and for this more money is required, and I argued that a certain proportion of the funds might be found by a revision of the scale of salaries.

MR. CALDWELL: In a scheme of this kind there must necessarily be increased expenditure at first, and if you are to invite public support to the scheme, you must first formulate the scheme and get it into operation. The responsibility will therefore be upon the Commissioners, unaided and alone, to formulate a scheme, that at first must involve the expenditure of a considerable amount of money. There is the fact that compensation must be given to every professor whose interest is affected in the slightest degree. If there is a class that qualifies for a degree, and if other classes are established to qualify for that degree, you at once confer on the professor of the first class a claim for compensation. There are matters that will entail expenditure at first, special circumstances that the Commission will have to take into consideration.

*MR. CRAIG SELLAR (Lanarkshire, Partick): From the beginning of this discussion I have taken a lively interest in this point, for I felt that it was quite impossible that the Commissioners could do the work expected from them without a considerable amount of Government assistance. I am glad that the Chancellor of the Exchequer sees his way to do something for us. Speaking for myself though, I still think the sum is inadequate for all the purposes with which the Commissioners will have to deal, and although I should have been glad if the Chancellor of the Exchequer could have seen his way to have increased that sum, still I am of opinion that under the new proposal the labours of the Commission will be lightened, and we shall be able to make a better job of the work entrusted to us. I would just like to ask the Chancellor of the Exchequer if he could strengthen our hands — the hands of the Commission—against the pressure to which we may be subjected, by putting the views he has expressed into the form of a Treasury minute for our guidance?

SIR G. CAMPBELL: I think the proposal of the right. hon. Gentleman is reasonable. I sincerely hope that the recommendations of the right hon. Gentleman in regard to salaries will be carefully considered in regard to the emoluments attached to the Divinity Chairs. A desirable opportunity now offers in regard to St. Andrew's where a vacancy in the principal professorship was recently caused by death. I hope that full justice to St. Andrew's will be done in regard to other Chairs.

*MR. J. A. CAMPBELL: I thank the right hon. Gentleman for the improvement on his first proposal, but I hope he may be induced to go a little further. The increase in the grant is about £13,000. But the recommendations of last Universities Commission involved, it is computed, an additional expenditure of £11,600 a year, and since that Commission reported, in 1878, other re-

quirements have emerged, especially in connection with the teaching of science, calling for a further sum of nearly £12,000 a year; so that altogether for the new work to be done by the Universities under this Bill, there is need for an increased grant of £23,000, rather than of £13,000. With the increase proposed there will be no margin left to meet the claims for compensation that are sure to arise in carrying out any scheme for the redistribution of professorial emoluments. I quite agree that these claims will require to be carefully watched, and that the Treasury must be supported in their dealings with such claims for compensation for disturbance, as I may call them; but presuming that these claims are reduced to a reasonable sum, I trust that the Treasury may see their way to meet the whole of that expenditure, so that the Commissioners may be free to go forward with their work without check on this account. There is another subject on which I think we might look for assistance from the Treasury, and that is in respect to the pensions now granted to professors retiring on account of permanent ill-health. This system was established in 1858, and the Universities Commissioners reporting in 1863 say of it—

"One of the most beneficial of the changes which have been introduced under the provisions of the Universities Act, relates to the retirement of professors incapacitated by age or permanent ill-health from the performance of their duties. The practice which has heretofore prevailed in the case of a professor being so incapacitated, of having his class conducted by an assistant or deputy, remunerated from the income of the professor, has been found most injurious in its effects."

The terms on which retiring allowances have been given may have been somewhat burdensome to the Treasury; but, if so, the blame rests with the Treasury of the time, who declined to agree to the proposal of the Universities Commissioners, fixing a maximum and a mimimum pension, and insisted on the terms which have since been observed. The allowance for pensions in the grant of £42,000 is stated to be £6,000. But the charge is a fluctuating one, and in some years it may considerably exceed this sum, so long, at least, as there are professors who have accepted office under the existing terms. With professors to be appointed hereafter, the University Courts may make their own terms as to pensions, but they have no discretion as to claims from professors now in office. I hope it will not be considered unreasonable to ask the Treasury to bear the burden of their pensions in so far as they may exceed the sum allowed for them in the grant, as was proposed by a clause in the Universities Bill of 1885.

DR. CLARK: I regret the Chancellor of the Exchequer could not enlighten us a little more as to how he arrives at his statement that this amount is an increase of £13,000. Such is not the impression I receive from the figures and statements on page 399 of the Estimates. I will tell you why I am a little curious about these facts. I asked the Treasury for a Return not long ago, and they promised to give it, but I have seen nothing of it yet, although two Sessions have passed. I want to know how it is that although we are really voting £42,000 for the Scotch Universities we are told that it is only £29,000. I do not think the right hon. Gentleman the Chancellor of the Exchequer should expect a single farthing from the other source to which he referred. And as to these amounts given to the Scotch Professors, and which seem in English eyes so large, I would tell the Committee that when I was studying in Edinburgh a certain gentleman was anxious for a professorship, but found himself unable to accept it as the emoluments were only £4,000 a year, whereas he was making in his profession £12,000. I do not think large salaries to professors are thrown away, because they enable you to get popular men, whose lectures attract large numbers of students.

*MR. G. J. GOSCHEN: I think it is trespassing on the time of the Committee to go into details on this matter. The sum now proposed to be given as the annual sum from the Consolidated Fund is in reality £13,000 more than was formerly given. I may say with regard to the question of compensation, that I am quite willing to support the action of the Commissioners, but I also want the Commissioners to support the Treasury. The Universities should have an interest in reducing compensation to the lowest possible amount. I should not think it right that the taxpayers should be called upon to pay the whole of the compensations without the Universities being in-

terested in reducing them. They would only be human if, in such a case, they looked more to educational interests than the financial interest of the Treasury. The hon. Gentleman wishes us to restore the clause under which the Treasury undertook to pay the excess over a certain amount of pensions. It should be remembered that the additional £13,000 was given when that clause was struck out. If we restore the clause we shall have to take off the £13,000.

*Sir LYON PLAYFAIR: I think the Government are wise in their decision as to the mode of giving supplemental aid to this sum of £42,000. The question of compensation will be a great difficulty to the Commissioners, but through the joint assistance which will be rendered between the Treasury and the Commissioners the money will be much more safely applied to educational purposes than would otherwise be the case.

Mr. CRAIG SELLAR: Will the right hon. Gentleman give the Commissioners a Treasury Minute?

*Mr. G. J. GOSCHEN: I will consider whether that is the best form or not. I will, however, undertake that in some form or other the views I have announced shall be placed before the Commissioners and the House.

Question put, and agreed to.

Clause 24, as amended, agreed to.

Clause 25.

Amendment proposed, in page 18, line 27, at the end, add—

"But this restriction shall not apply to the Chair or Chairs of Hebrew or Oriental languages which may now or hereafter be attached to the Faculty of Theology."—(*Sir L. Playfair.*)

Amendment agreed to.

Clauses 25 and 26 agreed to.

Clause 27.

Motion made, and Question proposed, "That the Clause stand part of the Bill."

Dr. CLARK: I did not wish to suggest an Amendment on the subject of the amount to be paid to the Scotch Universities until I knew the result of the appeal to the right hon. Gentleman the Chancellor of the Exchequer. Knowing that result, I think it is necessary for us to try and modify Clause 27. I would propose that we should do that by leaving out the words "If any past or present professor," in page 19, line 1. I will subsequently move in line 4 to leave out the word "pensions," and in line 9 to leave out "professor," and at the end of the clause to insert the words "save and except the sum necessary to defray any claim for compensation for pensions made by any past or present professor." The object of the Amendments is to make any addition to the £42,000 which may be necessary to defray the claims made and the pensions asked for past and present professors in regard to changes which may be made under the action of the Commissioners. If you are going to carry out the preamble of the Bill, which is to endow the Scotch Universities, you must give them this money for their ordinary working and make other provisions for the compensations. No one knows what will be the amount required to pay the pensions and defray the claims consequent on loss of fees and salaries. I hope that in this matter the right hon. Gentleman the Chancellor of the Exchequer will regard Scotland as if it were England. If it were Ireland instead of Scotland we should get all we want——

The CHAIRMAN: The proposal of the hon. Member would tend to increase the sum of £42,000, and it is not in the power of a private Member to move to increase a grant.

Dr. CLARK: I have mentioned no sum.

The CHAIRMAN: That does not matter.

Dr. CLARK: This is a matter affecting the Treaty of Union. You are going to place increased burdens on the Scotch people, for this £42,000 is to be a full discharge of all past and present claims of the Scotch Universities. What are those claims?

The CHAIRMAN: The hon. Gentleman's arguments are quite inadmissible. If he can show that his Amendment will not increase the charge he may persevere with the point. But at present my view is that the Amendment would increase the charge on the Public Revenue, and it is out of the power of a private Member to submit a proposal which would have that effect.

COLONEL NOLAN (Galway, N.): The Amendment would merely have the effect of applying this money in a different direction, and it would not, therefore, appear that the strict rule as to Motions involving taxation applies to this case.

DR. CLARK: Under the circumstances I will merely move to amend the clause by striking out the words "shall be deemed to be in full discharge of all past and present claims."

THE CHAIRMAN: If that Amendment stands alone it will make the clause nonsense.

DR. CLARK: I would require to make other Amendments.

THE CHAIRMAN: The hon. Member cannot possibly hope to avoid the principle I have pointed out by merely playing upon words.

MR. BUCHANAN: Would not an Amendment be in order which would limit the purposes for which this sum is to be considered a full discharge?

THE CHAIRMAN: Not if it led to other charges.

DR. CLARK: Then I will merely speak against the clause. I think it is an unjust one, and I will try to take a Division against it. My argument is that there were certain charges taken over when the Parliaments of England and Scotland were united, and that by this clause it is sought to cancel the obligation in regard to the Universities. If this were an Irish question the Government would not treat it in such a niggardly spirit. They always treat Scotland in this way. They can vote £40,000 for the two Queen's Colleges in Ireland, and £700 for the Irish Science College, but they refuse to vote anything for science in Scotland. As a Scotch Member I refuse to give the Government a full discharge from all its liabilities in regard to the Scotch Universities for this miserable contemptible sum of £42,000.

The Committee divided:—Ayes 78; Noes 40.—(Div. List, No. 10.)

Clause 28.

Motion made, and Question put, Clause 28, page 19, line 28, insert "forty-two"—(*The Lord Advocate*)—Agreed to.

Motion made, and Question put, Clause 28, "That this clause stand part of the Bill"—(*The Lord Advocate*)—Agreed to.

Clause 29.

Motion made, and Question put, Clause 29, page 19, line 30, after "report," insert—

"As to the statistics of attendance on the various classes, details of teaching staff, and such other information as the Commissioners, and, after the expiry of their powers, the Universities' Committee, may from time to time determine, and shall also make an annual Report."—(*Dr. Cameron*).

Motion agreed to.

Motion made, and Question put, Clause 29, page 19, line 31, after "university," insert "and the college or colleges"—(*Mr. Baird*)—Agreed to.

Motion made, and Question put, Clause 29, page 19, line 32, after "and" insert "the said reports"—(*Dr. Cameron*)—Agreed to.

Motion made, and Question put, Clause 29, page 19, line 35, after "determine," insert—

"And to enable the University Court to make such report in respect of affiliated colleges, if any, the governing bodies of such colleges shall make an annual Report, duly certified to the University Court."—(*Mr. Baird*).

Motion agreed to.

Motion made, and Question put, Clause 29, "That this clause, as amended, stand part of the Bill"—(*The Lord Advocate*)—Agreed to.

Motion made, and Question put, Clauses 30 and 31, "That these clauses stand part of the Bill"—Agreed to.

New Clauses.

MR. J. B. BALFOUR: I have now to move the new clause standing in the name of the hon. Member for Aberdeen (Mr. Bryce), and would point out that he and I omit from it that part which has been involved in the recent discussion, the only question being whether the mode I propose is not the best for accomplishing the object on which we are all agreed.

Motion made, new clause, page 8, after Clause 9, to move the following Clause:—

"After the passing of this Act it shall not be necessary for any principal professor or other University officer in the said Universities to make and subscribe the declaration mentioned in an Act passed in the Parliament held in the sixteenth and seventeenth years of the reign of Her present Majesty, intituled 'An Act to regulate the admission of Professors to Lay Chairs in the Universities of Scotland.'"—(*Mr. J. B. Balfour.*)

*Mr. J. P. B. ROBERTSON: The hon. Gentleman has omitted to observe that if you content yourselves with dealing with the Act of the 16th and 17th of Her Majesty the Queen, you leave the principals of the Universities subject to the very test from which you are proceeding to exempt the professors. For that reason I prefer the Amendment of my hon. Friend the Member for Inverness which, by repealing also a part of the subsequent statute, affords a complete instead of a partial mode of relief.

*Mr. J. B. BALFOUR: I do not agree with that view. I hold on the contrary that this is the preferable Amendment, but under the circumstances I will not renew the discussion or press the matter to a division.

Motion, by leave, withdrawn.

Mr. FINLAY: I have to propose that the following new clause be added to the Bill; the effect of it being to carry out the arrangement announced earlier in the evening by the Lord Advocate to abolish all religious tests in the cases of Lay Chairs:—

Motion made, and Question proposed, "That the following new clause be read a second time:—

'The 2nd, 3rd, 4th, and 5th Sections of the Act of the 16th and 17th years of Her present Majesty, Chapter 89, are hereby repealed, and the Act of the 22nd and 23rd years of Her present Majesty is also repealed in so far as it provides that any person shall make or subscribe the declaration set forth in the 2nd Section of the first-mentioned Act.'"

Motion agreed to.

Clause added to the Bill.

*Mr. HALDANE: The object of the new clause which stands in my name is to secure something like an infusion of new blood into the Board of Curators, and I propose that three additional curators shall in future be nominated by the University Court. In doing this I am not attacking, in any sense, the administration of the curators hitherto nominated by the Edinburgh Town Council.

Motion made, and Question proposed, "That the following new clause be read a second time:—

"The number of the curators mentioned in Section 13 of the Universities (Scotland) Act, shall be increased by three, and such three additional curators shall be nominated by, and vacancies occurring in their offices shall be filled up by, the University Court."

*Mr. WALLACE: I beg leave to object in the strongest possible manner to this clause being added to the Bill. My hon. and learned Friend describes it as a very single measure. I think it is a very double measure. My hon. and learned Friend appears to have proposed it on the suggestion of the Government. But care was expressly taken in an earlier clause not to interfere with the status of the curators appointed by the Town Council of Edinburgh; this arrangement being defended by the Lord Advocate on the ground that it was a matter of honour to carry out the covenant that the patronage exercised by these curators should be secured to them in the future. Yet when the Lord Advocate was himself defending that arrangement the other night, to my astonishment I heard him express wonder that the hon. Member for Haddingtonshire had not done something to alter the composition of the curatorial body, the effect of that being to take away, in substance, what the Lord Advocate professed to retain in form. I never for a moment imagined that my hon. and learned Friend would listen to such a suggestion; he seemed at the moment to be paralyzed by it, for he sat down in silence, but when he has had time for—well, I will not call it reflection, but for a cerebral process in which he had been indulging—he seems to have yielded to the temptation held out to him by the Lord Advocate; hence he has brought forward this Motion. I have very great difficulty in keeping myself within the limits of Parliamentary language when speaking of this matter. I feel much disposed to exhaust the resources of vituperation on the Lord Advocate and on my hon. and learned Friend for their action in this matter. I think it highly improper, after having retained an acknowledged right for the curatorial body in Edinburgh, that they should consent to an alteration of the constitution of the body which will take away the right professedly retained. At present the Edinburgh Town Council nominate four curators, and the University Court three, the express understanding being that the representation of the Municipality shall have the preponderance. But my hon. Friend now

proposes that three more curators shall be appointed, all by the University Court, thus placing the Municipality representatives in a minority, and depriving them of that preponderance which was the very essence of the arrangement entered into by the Government. That is the moral character of the transaction, and I can only say it will constitute a most ungraceful conclusion to the work which the Lord Advocate so well begun during the last three or four days. In common with, I believe, every other Member of the House, I can cordially say I have found it difficult to say which is most to be admired, the ability, the style, the tact, or the temper which the Lord Advocate has displayed. I think that the way in which he has managed this Bill has been in every way most admirable, and it would be to me a matter of lasting regret if he attaches so ungraceful—I was almost about to say so disgraceful—conclusion to his prolonged and lengthened efforts in connection with this Bill. And now I come to the legislative character of the transaction. My hon. Friend bases his proposal on the benefit which will accrue to the University by the infusion of popular representation, yet he is doing his best to swamp and extinguish that very element of popular representation—as embodied in the municipal representatives — which is now the distinguishing element of the curatorial body. These are the difficulties in which hon. Gentlemen land themselves when they stray into crooked paths; they become not only a source of shame to themselves, but they fall into a position of self-contradiction which is both discreditable and ridiculous. I do trust that this protest which I have felt it my duty to make will elicit from the Lord Advocate a declaration that he does not intend to force into this measure a provision opposed to what he has already declared, in substance, to have been honourably retained in the Bill. I feel sure that the other representatives of the City of Edinburgh will cordially join in this protest. We shall certainly divide against the clause if it is pressed, but I should be sorry if it were necessary to resort to such an extremity.

MR. BUCHANAN: I hope the Lord Advocate will not agree to this clause. I think that all who have followed closely the discussions in Committee on this Bill would regret very much if, at the end of the discussions, the Lord Advocate should give the slightest reason for believing that he altered the views to which he gave expression a few days ago. I think the case against this clause may be put even more strongly than it was put by my colleague in the representation of Edinburgh. On a preceding clause, the Lord Advocate, after he had had a night to consider the matter, moved an Amendment, specially leaving out all reference to the curatorial body of the University of Edinburgh. At two successive sittings of this Committee we had an assurance from the Lord Advocate, speaking on behalf of the Government, that they would not interfere with the position of the City of Edinburgh in regard to the nomination of curators. The hon. Member for Haddingtonshire says his clause is designed to extend the popular basis of the curatorial body by the infusion of new blood. But that is the exact ground of our objection to it, for if the Government accept this clause they will be adopting a line of action contrary to that pursued in the earlier part of the discussions in Committee. On Clause 5 we had a very long discussion on the constitution of the new University Courts, and the Lord Advocate then agreed on the part of the Government to accept what was evidently the general sense of the House; he agreed that there should be a further infusion of the popular representative element on the governing bodies of the Universities. In consequence of that, he admitted the representation of the Town Councils on the University Courts of St. Andrew's, Glasgow, and Aberdeen. This Amendment will, however, instead of extending the popular element in the Curatorial Court of Edinburgh University, very considerably curtail it. On these general grounds I would urge the Lord Advocate not to adopt the new clause of my hon. Friend, and on personal grounds I ask him to adhere to the terms of the Bill, because we should deem it a matter of extreme regret if at the close of this discussion we should have any reason whatever for suggesting that he had altered his course of conduct.

*Sir LYON PLAYFAIR: I am not surprised that my hon. Friend has moved on educational grounds his Amendment. In reality, it is an anomaly that a Board of Curators should exist in Edinburgh, and that there should not be a similar body in any other University. The reason is, as we know, to be found in the traditions of the University itself. The University of Edinburgh was originally managed by the Town Council, and, on the whole, I think that the Council exercised its rights of patronage extremely well. When the Act of 1858 was passed, the municipal element on the Board of Curators was maintained. If we were now constituting for the first time the Board of Curators, I should agree with the Amendment; but when we reflect that the whole interests of the University were at one time under the guidance of the Town Council, and that there has been for many years an honourable connection between the Municipality and the University—when also we remember that the Council has exercised its patronage well, I think that, on the whole, it would be as well to leave the Court of Curators constituted as it is at present. I, therefore, trust that the Amendment will be withdrawn.

Dr. CLARK: I thought that this question was finally settled, and I hope that now the Lord Advocate will not give way in favour of this Amendment, and thus give us cause for regretting that he should have changed his policy in the conduct of this Bill. I should have been glad to support my hon. Friend the Member for Haddington if he had been able to give any reason whatever for the change, but he did not lay before the House a single reason. He did not complain that the curators had failed to dispense their patronage in the way the way they should have done. He cast no reflection whatever upon them, and, therefore, under these circumstances I ask why we should make such a complete change in the constitution?

*Mr. HALDANE: When I moved this clause, I purposely abstained from going into details and thus occupying the time of the House, although I might have spoken at very considerable length upon the question. My reason was that on a previous occasion I had stated the grounds on which I now make the proposition.

Dr. CLARK: At any rate, there was no charge made against the curators. The change is advocated evidently for academical reasons, and with the idea of placing the popular element in a minority in the Court. And I can only say that if the Amendment is adopted, it will be viewed as a reflection upon the Edinburgh Town Council.

*Mr. J. P. B. ROBERTSON: I am not surprised that my hon. and learned Friend should have moved the Amendment which stands in his name. In the first place, it is admitted on all hands that the present mode of administering the patronage in the University of Edinburgh is an anomaly which, on principle, is altogether indefensible. We have had several proposals for laying down general rules as to the body which shall exercise the patronage of the University, and one which received the most general support was that all patronage should be vested in the University Court. As the right hon. Gentleman the Member for Leeds has said, were we at the beginning of things, one could hardly imagine there could be any objection to the Amendment of my hon. and learned Friend, and it struck me as one of the most remarkable facts that the defence of the existing state of things was based on grounds altogether remote from the question of the general advantage to the University. The hon. and learned Member for East Edinburgh has prayed, in aid of the case he supports, some considerations as to what I said at an earlier stage in these proceedings, and hon. Members below the Gangway have followed his example. It has been urged that the acceptance of this Amendment will mean a revocation of the settlement, or rather compromise, come to in 1858. And now, as to my personal position in this matter. I was astonished to hear an hon. Gentleman below the Gangway say that he was amazed to see there was some chance of my acceding to the Amendment of the hon. and learned Member for Haddington, because he held it would be a complete stultification of what I said the other day. But the hon. Member for East Edinburgh saw so clearly the import of what I said on that occa-

sion that he stated to-day it struck him with horror and surprise.

*MR. WALLACE: Not on the same night, but the day after.

*MR. J. P. B. ROBERTSON: Well, what I said to the Committee on that occasion, and what I repeat again to-day, is that I am not prepared to depart from the understanding come to in 1858, so far as the existence of this body of curators is constituted. But I added that I thought the composition of that body was entirely open to discussion, and I was surprised that the hon. Member had not raised a question as to it. We have to consider this question in a practical light. We have, by the Amendment of the right hon. Gentleman the Member for Leeds, provided that a detailed and reasoned report on the qualifications of candidates is to be furnished to every body of patrons. That I regard as a great safeguard against any possible defects in the decision of any body of patrons. Any body of patrons must stand or fall nowadays according to the exercise of their patronage. By passing from this Amendment we do not confer any right, but merely show a disposition to give a further period of probation to the patrons now fulfilling the duty. I think the best solution of the question is to take that view of the existing situation; but it should be distinctly understood now, as in 1858, that it is the duty alike of the University Court and the Town Council of Edinburgh not to treat their representation on the curatorial body as a property, but that they have a duty to find, in one case four, and in the other three, persons individually qualified by their knowledge, experience, and impartiality to make selections of persons suitable for academic office.

*MR. HALDANE: In consequence of what the Lord Advocate has just said, I beg to ask leave of the House to withdraw the Amendment. In doing so I wish to express my gratification that the Government have been quite willing, as regards this point, to make the measure a thorough-going one. It was to me a source of surprise that two hon. Members representing two of the most Radical constituencies in the United Kingdom should have made use of arguments which would have been more appropriate to the Corporation debates of 1832 than to those of to-day. I cannot forget that the University of Edinburgh exists for the Scottish nation, and not for the Town Council of Edinburgh, and that at the present moment 16 of the Chairs of that University are in the exclusive patronage of curators who are dominated by the Town Council. It is a source of satisfaction to me that the Lord Advocate has, at all events, recognized that, in the interests of education and of the public, this condition of things is an anomaly which will be put an end to at no distant date.

SIR G. CAMPBELL: It is not desirable to look a gift horse in the mouth; but as my hon. Friend (Mr. Haldane) has expressed his gratification at the observations of the Lord Advocate, I must express my dissatisfaction at my hon. Friend's gratification.

DR. CLARK: I thoroughly endorse every word the Lord Advocate has said. I cannot find fault with a single word of the speech, or with a single idea contained in it. If the Lord Advocate continues to treat the question in the spirit he has just displayed, I have no fear of any future measure that may be brought in to diminish the power of the Edinburgh Town Council. I compliment the Lord Advocate upon having conducted this Bill in a fashion which will certainly add to the gratifying reputation he has got inside and outside the House both for tact and ability.

Amendment, by leave, withdrawn.

Schedule agreed to.

Preamble.

Question proposed, "That this be the Preamble of the Bill."

DR. CLARK: I will not oppose the Preamble, though I do not think its effect has been carried out. It is said it is proposed to better endow the Scottish Universities, but that has not been done.

Question put, and agreed to.

Bill reported as amended, to be considered upon Thursday, July 11th, and to be printed. [Bill 307.]

BARROW DRAINAGE BILL. (No. 258.)

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. A. J. Balfour.*)

Mr. STOREY (Sunderland): I beg to move that this Bill be read a second time this day three months. In making this Motion, I do not propose to go over the grounds which I touched on in making a speech upon the rejection of the Bann Drainage Bill; but there are certain special points and figures relating to the Barrow, and certain observations of the right hon. Gentleman the Chief Secretary thereupon, which I imagine it would be orderly and pertinent to refer to at the present moment. The House is no doubt aware, although we in Great Britain learn Irish geography slowly, that the Barrow is in the South of Ireland as the Bann is in the North. Upon the Barrow we have as yet spent no money for drainage purposes; but upon the Barrow for navigation purposes we have, up to the present time, spent £239,000, of which no less a sum than £119,000 was a free gift from the Public Exchequer. With what result we have spent the money upon the Barrow navigation I am not at present concerned, although I think it will not be difficult to show that the precise effects of the proposed expenditure on the Barrow drainage will largely be to destroy whatever results have been achieved by the former expense on navigation. The present proposal of the Government is to expend no less a sum than £360,000 upon the drainage of the Upper and Lower Barrow. The area of the district drained by the river is, the Commissioners tell us, 480,000 acres, of which 46,000 acres are at the present time flooded from period to period; and their purpose is that the expense of the £360,000 should prevent either wholly, or in part, this flooding, and so beneficially to improve the district. This is so stated, and this is a purpose not unworthy of any Government and not unworthy of the attention of Parliament. But referring to the engineering aspect of this question, several curious things strike the mind of an interested and unprejudiced onlooker like myself. I find that of the total sum of £360,000, it is proposed to spend £300,000 in draining the Upper Barrow, and £60,000 to remedy the consequent evils produced in the Upper Barrow, so that of the whole sum of £360,000 to be voted by Parliament, no less a portion than one-sixth is to be spent in remedying the very evils which the expense of the larger portion of the money produces. But is it certain that the expenditure of this money for this marvellous scheme will have the effect of producing evil results in the Lower Barrow? On that point I will read two extracts from the Reports of two Commissions who have dealt with the question; because it ought not to be uninteresting to the House, and especially to Members who concern themselves with Irish affairs, to remember that two independent Commissions have reported upon this river and upon its improvement and drainage. I think I am not stating the thing too broadly when I say that, in essential particulars, the recommendations of one Commission are diametrically opposed to the recommendations of the other. But the two Commissions agreed that the inevitable result of carrying out the works in the Upper Barrow will be to create contingent evils in the Lower Barrow. What is the proposal which the Government are supporting? It is a proposal to drain the Barrow by embankments. Now, the universal practice of all peoples who have dealt in this way with the improvement and drainage of rivers and of the districts around them, is that by the natural accretion of detritus carried down the river, the bed of the river is gradually raised, the embankments have again and again to be raised; and in the course of a very limited period—longer in some cases than in others, but still limited at the best—the river is carried at a level above the surrounding country, and the consequence in many countries has been serious and extensive flooding and great destruction of property. Under these circumstances, it is not astonishing that the two Royal Commissions to which I have referred united in believing that the engineer-

ing results of this wonderful scheme will be to produce evils in the Lower Barrow, while mending evils for the time in the Upper. The Commission, presided over by Lord Castletown, and which sat in 1885, reports as follows:—

"The general evidence went to show that some additional flooding of lands and property on the Lower Barrow might be anticipated from the increased volume of water sent down from the upper districts, consequent on the proposed works. But this injury, if found to occur, can be obviated by removing existing obstructions and providing additional waterway where necessary. It may, however, be requisite to take down and rebuild some of the public road bridges over the river, and in such cases a portion at least of the cost should be contributed by the adjoining counties"

Is it not apparent that it is to be anticipated that whilst you remedy some evils in the upper districts you are going to create new and additional evils in the lower districts? The second Commission—which I will call the Allport Commission, for Sir James Allport was, if not the President, the chief member of it—reported that, on the whole, they thought there would be some augmentation of the line of flood at Athy, and that some works of improvement would be necessary in the lower reaches of the river in excess of what are now required to avoid flooding. The Commissioners said "some works," and the modest sum they put down, all of which is to be contributed by a free gift by Parliament, is £60,000. We all know of rivers where a very trifling amount of embankment is sufficient to restrain the water from flooding a considerable amount of territory. There are two very curious and instructive quotations which I will make from the Report of the second Commission dealing with this particular point. At page 32 of the Commissioners' Report it is stated—

"Between Athy and Adamstown there are several tracts of land adjoining the river which are even now flooded, and we remarked that the owners or occupiers of these lands have not thought it worth their while to make such small banks as would be necessary to keep the floods off their lands."

At page 31 of the same Report it is stated that light embankments have been formed on both sides for the next four miles, but their tops are below the average level, and they are not set back a sufficient distance. The provision, therefore, to drain the land of water is inadequate. What do I found upon these two quotations? I found this conclusion, which is borne out by the experience of gentlemen who know flood districts in other parts—that flooding in itself is not necessarily a bad thing for low lands. [Colonel NOLAN: Winter flooding.] Flooding in itself is not necessarily a bad thing for lands, and it may safely be left to the occupiers of land to judge for themselves whether it is worth while to expend the money necessary to keep out the water. What is the fact as recorded in the Commissioners' Report? It is that at the present time, without the intervention of Parliament or the expenditure of this large sum of money, it would be perfectly easy and competent for a considerable number of the occupiers of the land on the banks of the Barrow, by slight embankments, to restrain the floods and drain their lands, but they do not find it economical to do so. Now, the last time I spoke upon the drainage question I agreed that the Commissioners were men of engineering capacity and experience. A little more inquiry, however, induces me to modify the favourable opinion I then expressed. Sir J. Allport is, no doubt, a competent railway engineer; but his experience of drainage works is of a very limited kind. The criticism I make upon him I am bound to make upon the gentlemen who under him have done the practical work of surveying this river. The practical engineers, upon whose Report this scheme has been sanctioned by the Commission, and the Government, are gentlemen who have not had, either in Ireland or in any other part of the world, any considerable experience in drainage matters. I would like to add that in Ireland there are many competent engineers who have been associated with drainage works, and that in Ireland there is by no means an agreement in favour of the expediency and advantage of these particular works that one would have expected; on the contrary, a very considerable number of the practical Irish engineers who have been concerned in drainage have serious doubts as to the efficacy of these works. I have received a letter from a civil engineer of experience in Ireland, in which he says—I pass over the part

where he expresses the belief that in opposing these Bills I am doing good to Ireland—

"If the Bills pass in their present shape they will destroy the navigation of the Rivers Barrow, Bann, and Shannon, and introduce a bad and dangerous system of drainage by embankment that will injure the agriculture of the whole districts. I trust and hope you will prevent them passing, and that anyhow the navigation of the Shannon and the Barrow will be preserved, as if it is destroyed it will do great injury to the chief traffic of the country."

I read that letter not so much with reference to the traffic, with which I am not particularly concerned, as with reference to the opinion there expressed that the proposals as to the Barrow are such as are calculated to produce evil. Passing from that, I come to a portion of the inquiry that I should very much like the House to bestow some attention upon. I do not think works of this kind should be undertaken at all unless there is a prospect of their being reasonably remunerative—that is to say, unless there is a prospect of the results to the districts being such as to pay a reasonable and sufficient interest on the capital employed. If there were such a prospect I should say the works might be carried out; but if, on the other hand, it can be shown that they cannot give a remunerative return for the money invested, then, I say, they are not works which would be undertaken by private persons, and they ought not to be undertaken by the Government. On this question I would refer to a point raised by the hon. Member for Mid Lanark (Mr. Philipps), and emphasized by the right hon. Gentleman the Member for the Bridgeton Division of Glasgow, but left unanswered by the right hon. Gentleman the Chief Secretary. The point was this: Will the Government tell us whether these works on the Barrow are going to be remunerative? If they are, the people who are going to benefit ought to pay for them, and if they are not they ought not to be undertaken. I have taken pains to extract figures bearing on this question from Government Returns, Blue Books, and other things of that sort; and I find that under the schemes of 1842 and 1847 the whole sum expended on drainage by the State was £1,827,000. The Government stated that the increased annual value of the land would be £74,500; therefore, it follows that, upon the whole of the drainage expenditure of 1842 and the following years, the Return in the shape of increased annual value was 4 per cent on the outlay. How was it in the works undertaken in 1863? On those works the total amount expended was £74,700, and the increased annual value is stated to be an amount equivalent to 5½ per cent. Now, I am not prepared to say that 4 per cent is a fair return; but I should say that 5½ is ample, and if the right hon. Gentleman opposite can show me that the works now proposed will yield anything like that return, I will admit that even though the money is mainly supplied by Great Britain it will be useful to Ireland. On the amount it is now proposed to spend on the Barrow 5½ per cent would yield £20,000 a year; but the Commission appointed by the Government state that they expect the return will be £9,800 per annum. On that I challenge the right hon. Gentleman to show that he will make anything like a return of 3 per cent for the money expended; and, under the circumstances, I submit that the right hon. Gentleman cannot justify the employment of this public money. Why should we pay the large sum demanded on a scheme which, on their own showing, will do damage whilst it does good, and which cannot be reasonably remunerative? I am told that I am tight about money; but a Member of Parliament has a right to be tight about other people's money. If this will do good to Ireland, and the money were my own, were it 20 times the amount—if I had it—I would gladly give it for this purpose, but the money is not my own. I am here as the trustee of other people's money. I cannot allow myself to be guided by my sympathies, and must do my duty, even at the risk of being called hard-hearted. When we are dealing with public money we have to consider what commensurate return we shall receive. Well, but whenever we have been applied to to make grants to Ireland it has always been on the ground of the poverty of the district affected, and the hard conditions under which the people live. Will you, it was said, begrudge this help to these unfortunate people.

Such is the tone of the appeals made to us from time to time by Irishmen and by the Government, filled with sympathy for the woes of Ireland, which they were willing to express by grants of our money. But is this a poor congested district, this of the Barrow? On the contrary, we had it stated by the Chief Secretary that the Bann and the Barrow were not in the poorest district of Ireland. Then, I say, if the claim is not supported on the ground of the poverty of the district, on what ground does he ask this large amount of money? Remembering, too, as we must, that this money is to be expended upon works of doubtful utility and producing an incommensurate return. The right hon. Gentleman, replying to an observation that fell from my hon. Friend the Member for Bristol, who asserted that these were landlords' Bills—a statement, I confess, in which I do not altogether join with him—the right hon. Gentleman, in reply, said—"These are nothing if they are not tenants' Bills." Well, I regret that I cannot accept that statement either. I cannot accept it at all in its fullness. Let us examine this point. I have not asserted that these are landlords' Bills, meaning that they are landlords' Bills, and nothing else; but if my hon. Friend rather exceeded the facts when he made his statement, so also I think the right hon. Gentleman erred as moderately on the other side, when he said these are tenant's Bills only. There are certain lands now flooded which are to be improved, and these lands are held jointly by landlords and tenants. The rent is the first charge, and if these lands are improved in annual value by the carrying out of these works, then the security for the rent is improved also. To that extent these are landlords' Bills. I go a step further. If the letting value is improved, and the security for rent improved, then the value of the property for raising mortgages is improved, and so to that extent these are landlords' Bills. Further than that, if the lands are improved in all these particulars, then the chances of the land selling at a higher rate are increased. So, to this extent these are landlords' Bills, and this we taxpayers may discover within a year or two. Look at Clause 17 of the Bill, which the right hon. Gentleman described, when introducing the Bill, as securing the tenant against the increased value being put upon his rent. As soon as the annuity is paid, as soon as the 40 years are up, the increased value accrues to the landlord. It is not the time to deal with these matters, as they will be dealt with in Committee; but, speaking for myself, and I think for the Irish Members—[Colonel NOLAN: No]—well, for all but one, I say, if this clause is not amended there will be more conflict over it than the right hon. Gentleman will care to sustain. When my hon. Friend called these landlords' Bills I imagine he referred to these matters. It may seem paradoxical if, arguing that these Bills are in the landlord interest, I now proceed to say they are too much tenants' Bills. I take the Barrow figures for purposes of illustration, and I say I hold that if these special tenants are to be benefited, then they should pay a reasonable return for the advantages they receive. In the light of this expression of opinion, let us examine what the tenants pay and what they get. In the case of the Bann they pay 4½ per cent principal and interest for 40 years. Now, the estimate is that the increased value of the land will be 3 per cent—a miserably insufficient return—but say it is only 3 per cent, that is £2,000 per annum. Then what are the tenants to pay? £8,000. So, inasmuch as they have to pay £8,000 and get £2,000 a year, the tenants pay 4½ per cent. and receive 25 per cent. As guardian, with the rest of the House, of the public purse, I say this is "giving too little and taking too much." There is fair ground, I think, for the district relieving the overburdened British taxpayer. And now how is it as regards the Barrow? The estimate is that the increased value of the lands will be £10,000 a year, and the tenants are to pay £125,000. So that they pay 4½ per cent to the State, while they will receive 8 per cent.

MR. A. J. BALFOUR: Does the hon. Member include maintenance?

*MR. STOREY: I think I could show that maintenance does not affect the question much. Though there is not so much reason to complain in the

case of the Barrow as in the case of the Bann, it is worth noting this: while Ulster gets 25 per cent and pays 4½ per cent, the stiff-necked South—National South—only gets 8 per cent in return for 4½ per cent. There is another curious point I should mention. The right hon. Gentleman has told us on several occasions that he has made a new departure in this Bill. He declares that, whereas aforetime it was the fashion to give to Ireland without consulting local opinion, he has adopted the policy of calling on the district to say aye or no to the scheme proposed. I dispute altogether that he is going to call on the district to do any such thing. Really, I never have seen a more cleverly contrived plan for preventing the wish of the district being determined. I suppose it is a plan conceived by the Commission. Taking the Barrow as an illustration, the Board of Conservators is to consist of three-fourths of the people who will derive benefit from the works, and it is against human nature to suppose they will not say aye to the expenditure. The right hon. Gentleman founds his Bill on the Report of his Commission, but he has ignored the recommendations of his own Commission in several important particulars. As regards the Barrow, I admit that on a former occasion my observations in this regard went farther than the Bill actually warrants; but as regards the Bann the right hon. Gentleman has ignored the recommendations of his Commission in several essential particulars, and both as to method and use of money. If we look to page 53 of the Commissioners' Report, we find that the Commissioners recommended that the Upper and Lower Bann should be treated as one, under one Conservancy Board to carry out the works. This he does not do in his Bill. The Board of Works is to carry out the works, though the Commission and the Conservancy Board has nothing to do with the works beyond saying aye or no to the proposal. Well, in a much more important particular does he ignore the Report of his Commission. The proposal of the Government in money matters is this—£360,000 being needed, the Government recommend that £125,000 should be given on loans; that £30,000 should be raised on the rates of the area by the cess, and that no less a sum of £215,000 should be a free gift from the State. Well, have hon. Members been curious enough to look at what the Commission recommended, because I find the Commission recommended this—that there should be a grant not of £215,000, but of £75,000. I invite the right hon. Gentleman to explain that to us. He appointed a Commission by itself, and by its subordinates considered every point and detail of that scheme. The Commission considered the money propositions of the scheme, and made the deliberate suggestion to the Government that £75,000 should be raised on the rates, that £210,000 should be provided by the land occupiers, who were to be benefited, and that £75,000 only should be granted by the State. Yet the right hon. Gentleman comes down to the House of Commons without giving in his speech one single reason for the charge.

MR. A. J. BALFOUR: When I introduced the Bills I took the liberty of referring to my speech of last year, which did deal with this matter.

*MR. STOREY: I was not in the House, being engaged elsewhere, and I admit I have not referred to the right hon. Gentleman's speech. But the Commission recommended a grant of £75,000 only, whereas the Government recommend a grant from the State of £215,000, being three times nearly the amount of the Commission's proposal. Now, I think I have carried the thing so far that I have only one other point to which to direct attention. The right hon. Gentleman the other night, in referring to some observations that were made on this side of the House, questioned the propriety of the charge made on various occasions that the object of Government is not the *bonâ fide* of carrying out remunerative and advantageous work, but is rather the political object of making things as pleasant as they can in certain districts. I took the liberty of saying on that occasion that

the noble Lord the Member for Paddington had been the projector of this new policy—a policy which has been variously described, but which I may venture to describe as the same policy that the inimitable Mr. Wackford Squeers carried out in his school in Yorkshire. When his pupils developed an inordinate appetite for good sound food he gave them a combined dish of brimstone and treacle to diminish their appetites. Now the Irish people have exhibited, and I think will continue to exhibit, a very keen appetite for the sound food of self-Government, and in order to take away their appetite the right hon. Gentleman treats them first to the brimstone of coercion and then to the treacle of Bann and Barrow Drainage Bills. But when I pressed this point upon the right hon. Gentleman and showed him how this policy had a beginning and was now having its issue, he said I ought to remember that the noble Lord who gave utterance to that remarkable exposition of policy had not modified his opinion, and that in any case he is "not one of us," meaning one of the Government. I admit that the noble Lord is not now one of the Government. To parody Walter Scott :—

"Old times are changed, old manners gone ;
His friend now fills his Lordship's throne."

I admit that the noble Lord is not now a Member of the Government, and I admit that he did modify one portion of his statement. We remember, as the right hon. Gentleman reminds us, that that remarkable statement of the noble Lord when he came down to the House and announced on behalf of the Government that their policy was a policy of simultaneity in dealing with English and Irish local self-Government and on economical management of our own affairs was modified, but we remember, too, that the noble Lord never modified and never has modified his views to this day that the way to win Ireland is to buy Ireland. We, on the contrary, hold that the way to win Ireland is to do justice to Ireland. But the noble Lord has never modified his opinion on that point, and if he has on the other we remember that when he came down and announced that policy, which I assure the right hon. Gentleman had many adherents among men who are called Radicals on this side of the House—we remember, too, that so soon as the noble Lord laid down the political purple and retired into that seclusion from which, in my opinion, he too seldom emerges, that Government repudiated the policy he suggested and cast his ideas of Ministerial economy to the winds. My answer now to the right hon. Gentleman, when he says we impute to him an unworthy policy, is this—that I for one should only be too glad if he and those who sit on the Government Benches would advance a new and a better policy. Let them believe, if they can screw their courage to the sticking place, and treat Irishmen as a nation ought to be treated—that it would be on these Benches they would find a number of their staunchest supporters. But as long as he and his Government come to the House and, first, treat the Irish to doses of coercion, and then propose measures which they call ameliorative, but which, I think, I have demonstrated to be corrupt and unremunerative, I, for one, must persist in my opposition to the Bill. I, therefore, beg to move my Amendment.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day three months."—(*Mr. Storey.*)

Question proposed, "That the words proposed to be left out stand part of the Question."

MR. MOLLOY: I beg to second the Amendment. On the last occasion when these Bills were under discussion, I stated that they were brought forward with the object not of benefiting Ireland but of improving the political situation of the Government. The right hon. Gentleman the Chief Secretary said this accusation had no foundation, that it ought not to have been made, and that he was glad to notice it had been made only by one Member on this side. Well, Sir, within a few days afterwards the Chief Secretary addressed a large meeting at Birmingham or Manchester, or some other large centre, and in the most energetic part of his speech, after saying that the accusation made by this

side against the Government was that their policy was only one of coercion, and denying that there was anything political in the measures before the House, he in a boasting spirit stated that their policy was not only one of coercion but one of conciliation, and he then introduced the whole subject of his Bann and his Barrow drainage. Now, Sir, I object to these Bills on many grounds. I will not repeat the arguments which have been used by my hon. Friend the Member for Sunderland (Mr. Storey), but I may point out that the Commission was appointed without any reference to the representatives of the Irish people in this House. Former Commissions had advised that whenever schemes of this character were to be introduced the initiative should come from the population of the districts themselves. If this recommendation was not to be carried out, one would have considered that in a matter of such great importance as this, where a heavy tax was to be laid on the people of Ireland, the first thing to do would have been to consult the representatives of Ireland. No communication of any character has taken place between any Member representing Ireland and the Government. I have no hesitation in stating that my policy is, and always will be, in this House, where such treatment is meted out to the representatives of Ireland, to offer every opposition in my power to every scheme brought forward by this or any other Government. Who are the gentlemen who have taken this matter in hand under the nomination of the Government? One is Mr. Jonathan Buin, a draper in Dublin, a man of the most honourable character, but with not a fraction of experience or knowledge of anything connected with drainage. As a commercial man he stands in the first circle in Dublin, but he has not a single qualification which would render him fit to undertake such a work as this. Then we have Sir James Allport, who is no doubt a most experienced railway manager and contractor, but who as a drainage engineer has never had any experience whatever; so I might say, though perhaps in a lesser degree, of the other two Commissioners.

Mr. Molloy

Now, how are these schemes to be carried out? We were led to believe by the opening remarks of the right hon. Gentleman the Secretary for Ireland that the practical management of these schemes was to be carried out by those interested in them in Ireland. But although the Conservancy Board is to be retained, the whole of the schemes and everything connected with them are to be carried out by the four Commissioners, and then when the matter is concluded the Commissioners are to retire upon their laurels, and the Conservancy Board is to take the matter in hand. More than that, under the Barrow drainage scheme, all the old Boards which now have the management of such poor and miserable failures in drainage as exist there, are to be done away with, and the Conservancy Board is to take the place of those who alone are guilty of all the errors, and will have to pay all the debts contracted by the former Drainage Boards in Ireland. As to the point of my hon. Friend about this being a landlords' Bill, not only will the whole of the money be imposed on the tenants in Ireland supposed to be benefited by the schemes, but the whole maintenance of them will have to be borne by the tenants. Financially these schemes are wrong. Financially it is a bad bargain for the tenants, and a bad scheme for the State. As we have not been allowed to say a single word until this Bill has been thrown at our heads, I decline to accept these measures of the Government, and will offer them every opposition in my power.

MR. A. J. BALFOUR: The force of the observations of the hon. Gentleman who has just sat down, is somewhat diminished in my eyes by the fact that he plainly announced to us that whether the Bills were good or bad, the fact that he had not been consulted in regard to them was a most sufficient reason for offering them his most relentless opposition. Although the hon. Gentleman professed to rest his objections to the Bill on the arguments of the hon. Member for Sunderland, he was, in one of his chief objections, in direct contradiction with his hon. Friend. Whereas

the hon. Member for Sunderland objected to the Bill as being too favourable to the tenants, one of the chief objections of the hon. Member was that the Bills would be disastrous to the tenants. I think that the Mover and Seconder of the Amendment should settle their little differences before they address the House. I agree with the hon. Member for Sunderland on one point. Attention has been called to the wording of the 17th Clause, from which it appears that at the end of 40 years, when the annuity ceases to be payable, the improvements lapse to the landlord. That was not our intention in framing the Bill, and if it should turn out that the Bill bears that interpretation, as I acknowledge it seems to do, I shall certainly move an Amendment in Committee. Our intention is that this should be a tenants' Bill alone, and if, after the tenants have paid up the annuity, the improvements which they have just paid for are to go to the landlords, the intentions of the framers will not be carried out. The hon. Gentleman also declared that the Bill was a landlords' rather than a tenants' Bill. I cannot agree with the hon. Member on that point. The hon. Member asked how the Government could assert that these were tenants' Bills when according to our own showing it is our object to improve the position of the tenant, to give him a better holding, and enable him more easily to pay his rent, and therefore improve the position of the landlord. This is surely hypercriticism. If that argument is to be admitted, it is impossible to pass any measure for Ireland which should not be a landlords' Bill. Such criticism would strike at the root of every Bill, passed by any Parliament, Irish or English, which had for its object the benefit of the great mass of the tenant population of Ireland. The hon. Gentleman also criticized the alterations the Government made in the original proposals. I do not deny that there have been some alterations; but the Government have felt themselves at liberty to depart from the suggestions which have been made. The Commission has been cognizant of every alteration made in the Bill; and, speaking generally, they approve the course taken, and have been public-spirited enough to say that they will continue their services so long as they may be necessary for the advantage of the public service. The two points on which we have departed from the recommendations of the Commission to which attention has been called are the degree of control given to the county and the financial arrangements embodied in the measure. Under the proposals of the Commission the plans are not the plans of the locality but of the Government engineer; but the difference is one rather of form than of substance. When the Government are called upon to lend all the money we have lent, when we have given also a great deal of money, we may well insist upon having a considerable measure of control in carrying out the works thus made largely at our expense. The hon. Gentleman then pointed out that in the case of the Barrow especially, we had called upon the public to give a very much larger contribution towards the necessary expenses than the Commission recommended. I will explain that in two or three sentences to the right hon. Gentleman. The Commission, I think, did not pay sufficient attention to maintenance. They practically excluded it from their purview; and we had to take into account the very heavy expenditure imposed upon the locality, and to reconsider the financial proposals of the Commission. We thought that great caution ought to be shown in charging the non-benefited area. If the proposal of the Commissioners had been carried out the charge upon the non-benefited area would have been very much larger than it is in our proposal. We determined to limit the charge on the non-benefited area to the sum of one penny in the £ including maintenance. We, therefore, find ourselves in the position of having to charge the non-benefited area less than the Commissioners proposed, and the benefited area more, because we put upon it the cost of maintenance. The Commissioners proposed, roughly speaking, to charge the benefited area up to the value of the improvement. If, therefore, we had put upon the benefited area all that we took off the non-benefited area, and also put upon it the additional charge

for maintenance, we really should not have given any benefit to the particular class we desire especially to benefit. Therefore, we were compelled to ask the Treasury for a larger sum than was originally proposed by the Chancellor. I hope that explanation is tolerably clear, of the reasons which led the Government to modify the original proposal. I do care to go into the controversial questions raised by the hon. Gentleman. He really gave the House to understand that we were treating "loyal Ulster" much more favourably than we ventured to treat the "stiff-necked" South. Well, in the case of the Bann we gave £20,000, while the grant to the Barrow is not less than £215,000, so that he should not charge us with any unfairness in the financial arrangements he has asked us to accept. He has told us that to make improvements in the upper part of the Barrow at the public expense would necessitate a further public expenditure on the lower part of the Barrow, in order to do away with the flood which the works in the upper part would effect in the lower part of the channel. It is true that whenever you carry off the flood water from the upper part of any river more rapidly than it has hitherto been carried off, you will strain the power of the lower channel to dispose of the flood water. That is not peculiar to Barrow; it is true of every river. No doubt, therefore, it is a very dangerous course to improve the upper part of the river without dealing at the same time with the lower part. And that is the sole reason why we are prepared to carry out the works over the whole extent of the Barrow. We make our plan a general one, and we hope thereby to make the benefit also general. The hon. Gentleman has criticized the plan of dealing with floods by embankments rather than by deepening the bed of the river basin—a mode of criticism which has been used by several independent engineers. I would point out in the first place that the embankment is only part of the scheme, and, as a matter of fact, the deepening of the river is essentially a part of the scheme prepared by the Government engineers. The hon. Gentleman's criticism, so far as I am able to form an opinion, is based upon the embankment.

Mr. A. J. Balfour

He says that at the bed of the river we will require to raise the banks on either side, until at last we shall arrive at a condition of things in which the surrounding fields will be lower than the bed of the river. A river with a rapid flow like the Barrow——

*Mr. STOREY: It has not a rapid flow.

Mr. A. J. BALFOUR: It has quite sufficient for the purpose of this improvement. And one advantage of embankments is that if the river is low you confine it to a narrower channel, and give it a greater dredging power than if it were left to meander in a wide channel. Therefore, to widen and deepen the channel, though it may have some advantages, has the accompanying disadvantage, that it diminishes the scouring power of the river when the river is either at or below its normal level. That is the belief of the eminent engineer who has had the preparation of these plans. Then the hon. Gentleman told us that the tenants liked the floods, that the floods did good to the land.

*Mr. STOREY: What I said was that it should be left to the tenants to decide whether the floods did good, or whether it was was worth while to prevent them.

Mr. A. J. BALFOUR: I concur that if the tenants are really of opinion that the floods do no harm, all they have to do is to reject this Bill by exercise of the power which it gives them, and to reject the benefit which the Government proposes to confer upon them. There is one other criticism, and I think it is the most serious the hon. Gentleman has made. He asked whether any reasonable return was to be expected for the large outlay we are asking the House to sanction. I frankly admit that the return in the shape of an improvement of the land is not such as to give a large interest on the outlay. If it were, national intervention in this matter would not be called for. It is just because the

benefit to the Barrow is not of a magnitude which will give a large commercial profit that I think it really proper for the Government to intervene. But nobody, I think, can judge fairly of whether the intervention is proper or not if they confine their attention to the flooded land alone. We think that any consideration of the flooded land alone will justify this outlay, but we entirely deny that the benefits are confined to the special area. If the hon. Gentleman has read, as I have not the least doubt he has read, with attention, the Report of the Commissioners, he will see that they attach very great importance to climatic improvement, and to the general improvement of the country. You must, in dealing with these great undertakings, consider something more than the mere commercial return; and in laying down that principle, do not let the hon. Gentleman suppose we are departing from the traditions of our predecessors. The right hon. Gentleman (Sir G. Trevelyan), whom the hon. Gentleman (Mr. Storey) quoted with approval to-night, himself committed the Government, of which he was a Member, to a proposal of a similar kind. We do not profess to have started upon a new policy. What we do profess to have done, is to have laid before the country a large scheme, dealing with a large part of Ireland, thought out in considerable detail. We do believe that, if the House consent to the large expenditure which we undoubtedly ask the taxpayer of this country to incur, you will be conferring an enormous boon upon our Irish fellow countrymen; and, whether or not it evokes their gratitude to a political Party or political system, will, at all events, result in the permanent improvement of a country which, I am sure, we all desire sincerely to benefit.

*SIR G. TREVELYAN (Bridgeton, Glasgow): I am quite certain, Sir, that any one who has listened to the right hon. Gentleman to-night, or who heard his speech on the previous occasion, will give him credit for the absolute sincerity of the last words which he has used. No one can doubt that in the proposals of which this forms a part, the object is to benefit Ireland. I am glad to think that he has cleared out of our way the only question which aroused, and justly aroused, suspicion. The argument on the 17th clause of the hon. Member for King's County—namely, that the cost of maintenance would be on the tenants, while the profits under the clause would go to the landlords, certainly appeared to be unanswerable I am very glad that the right hon. Gentleman has relieved our minds on that point. I do not intend to argue this question as a landlords' or a tenants' Bill; I am going to argue it entirely as a taxpayers' Bill. The right hon. Gentleman quoted the precedent of a previous Government, to which I was Irish Secretary. It is quite true I was of opinion, in company with all my colleagues, that Ireland should be exceptionally dealt with. But we looked very carefully to the methods by which the assistance of the Treasury was given to Ireland, and we tried to see that that benefit should be given in a shape which would benefit Ireland in proportion as it called for sacrifices on the part of the general Treasury. I think the right hon. Gentleman can only point to two classes of concessions. First of all, these light railways, which he has supplemented and extended; and secondly, the grant of a large sum of money (though if I recollect aright, it did not come out of the Treasury, but out of the Irish Church surplus) to the tenant on account of arrears, but we never gave anything so far as I can remember to drainage.

MR. BALFOUR: You proposed it.

*SIR G. TREVELYAN: We proposed it? I do not remember it, though I am willing to stand corrected if I am in the wrong. But what I say is, that if he did so it was only under a most strange hallucination as to what was to promote the interests of the two countries. I am willing that every word I now say shall

be used against my action in this matter at any future time, and what I do say is, that we are now asked to give £215,000 of the public money on the recommendation of a Commission which, I have no doubt, is endeavouring to do its duty, but which, on the showing of the right hon. Gentleman, has made a most grievous slip in their calculations, for he has clearly shown that when the Royal Commission only recommended that £75,000 should be given for the Barrow scheme it was found necessary by the Government to give £215,000. The main cause of this tremendous difference was that the Commissioners left out of sight the fact that £3,300 a year would have to be spent in maintenance, over and above the expenditure to be made when the advance is given. In the next place we find that £360,000 is to be spent in draining the Barrow, while it is only claimed that the improvement to the land will be £9,000 a year. The right hon. Gentleman referred to the improvement of the climate of Ireland that will rise from the drainage of 46,000 acres, and he was cheered by the hon. and gallant Gentleman (Colonel Nolan), who is seated near the Serjeant-at-Arms; but I am afraid that even my hon. Friend with his magnificent views of what is due to Ireland would, I think, shrink from the sacrifices he would have to demand of the Treasury before he could improve the climate of Ireland by the drainage of blocks of 46,000 acres at a cost of £360,000 per block. I would ask the right hon. Gentleman opposite, he being a country gentleman, what would he think of a man of his own class who proposed to spend £36,000 in drainage, with a possible increase to his rental of £900 a year? If that would be madness on the part of a private gentleman, why is it not madness on the part of a Government? Now, the Commissioners say in their Report that one or two witnesses feared that in the present state of agriculture no expenditure on the land could be expected to be profitable. There is no one at all cognizant of land who does not know that the agents advise landlords with money that this is not the time to spend it in drainage; and this being so, I say, what madness it is for the Government to propose on a great scale to do that which no sane man would do on his own account. The next point I desire to refer to is the fact that the district is not poor. It is no poorer than ordinary districts in rural England and in many parts of Scotland, and yet the Government propose to spend £215,000 in addition to a loan which will be a loss if the scheme is not a success, because if it is not a success we shall not be able to get even the interest from the people—we should not have the heart to exact it. And yet you are going to spend this large amount of public money on 46,000 acres of land in a prosperous part of Ireland. The Commissioners recommend in their Report that there should be 30 Conservancy Districts in Ireland, including the tributaries of the Shannon, so that there are to be 28 other districts, every one of which has a right to be treated in the same way as the Barrow and the Bann district, while some of them, being poorer districts, have much more right. I do not know that I have anything more to say on this subject. All my objections to this Bill are contained in what I have already placed before the House. I would, however, remind the House that we are in the habit of spending 30, 40, or 50 nights every Session in revising and trying to cut down the Estimates, and that the result is that in the course of the last 10 years we have only cut down about £50,000, whereas we are now asked at one stroke, and after a brief debate, to throw away £215,000, and to lend £150,000 more, in order that a possible advantage of 2½ per cent may be obtained. I would very much prefer to give a certain sum down to the Irish tenants; but I feel that in passing this Bill the House would be doing that for which no defence has been offered by the Government, and the only recommendation of which is the evident goodwill that has prompted it.

MR. PHILIPPS (Lanark, Mid): The right hon. Gentleman opposite has said that the hon. Member for Sunderland (Mr. Storey) complained that the Bill was too favourable to the tenants, while

the hon. Gentleman the hon. Member for King's County (Mr. Molloy) complained that it was unfavourable, but I do not see any discrepancy here, or that the two arguments clashed in any way, because the hon. Member for Sunderland's contention was that the Bill was unduly favourable to the tenants in contrast with the taxpayers, on whom it was unduly unfair. We have to-night obtained an important admission from the right hon. Gentleman the Chief Secretary. In the debate on the Bann Drainage Bill the Chief Secretary repudiated the allegation that it was possible for the landowners to get anything under these Bills; and said they could benefit no one but the tenant. To-night, however, he says that while the tenants will benefit, the landlords will benefit with them, as it is impossible to benefit the tenant without also benefitting the landlords. The right hon. Gentleman was careful not to answer one question—namely, whether the proposed expenditure will be remunerative or not. He merely said it was not supposed that the expenditure would pay a very large commercial profit. But a large commercial profit might be 20 per cent, and none of us can imagine that any such return as that is in contemplation. I will, however, put it to the right hon. Gentleman again—is the expenditure to be remunerative? I hope the right hon. Gentleman will give me an answer, even if it only be a nod or shake of the head. Is every £100 that will be spent in the Barrow drainage expected to increase the value of the land to the same extent? The right hon. Gentleman is silent, and I suppose we are to understand that the expenditure is not to be remunerative. [Several hon. MEMBERS: "Divide, Divide."] We have only been debating this proposal, involving a gift of £215,000 and a loan of £145,000, for an hour and a quarter, and hon. Members call out "divide."

It being midnight, the debate stood adjourned.

Debate to be resumed upon Thursday.

PALATINE COURT OF DURHAM BILL.

[LORDS.] (No. 283.)

Considered in Committee, and reported; as amended, to be considered upon Thursday.

INDECENT ADVERTISEMENTS BILL.

[LORDS.] (No. 284.)

Considered in Committee.

(In the Committee.)

Amendment proposed, Clause 3, page 2, line 14, insert the words "any inhabitant or of."—(*Mr. Powell.*)

MR. LOCKWOOD (York): I have no objection to accept the Amendment.

Amendment agreed to.

Other clauses agreed to.

MR. CHANNING: I think it is most regretful that newspapers do not come under the operation of this Bill.

Bill reported as amended, to be considered to-morrow.

WINCHESTER BURGESSES (DISQUALIFICATION REMOVAL) BILL.

(No. 223.)

Considered in Committee, and reported, without Amendment; Bill read the third time, and passed.

NONCONFORMIST MARRIAGES (REGISTRAR'S ATTENDANCE) BILL.

(No. 74.)

Order for Second Reading read, and discharged.

Bill withdrawn.

Motion made, "That the House do now adjourn."

MR. JACKSON: I wish to give notice that to-morrow, at Twelve o'clock, my right hon. Friend the First Lord of the Treasury will move the suspension of Standing Orders to enable the Coal Duties (London) Bill to be considered after half-past Five.

EAST INDIA (LEGISLATIVE COUNCILS).

Ordered ; Address for Return showing the Date of Establishment under Act LXVII. of 1861 (1) of the Viceroy's Legislative Council; and (2) the Legislative Councils of Madras, Bombay, Bengal, and the North Western Provinces and Oudh, and give the following particulars for each year since the Establishment of the respective Councils :—

Europeans.				Indians.											
				Hindus.				Mahommedans.				Other Races.			
1.	2.	3.	4.	1.		3.	4.	1.	2.	3.	4.	1.	2.	3.	4.
Name.	Appointment, if an official.	Position or profession if non-official.	Date of appointment and length of service.												

And, also,—

	Calcutta.																										Simla.																									
	1862.	1863.	1864.	1865.	1866.	1867.	1868.	1869.	1870.	1871.	1872.	1873.	1874.	1875.	1876.	1877.	1878.	1879.	1880.	1881.	1882.	1883.	1884.	1885.	1886.	1887.	1888.	1862.	1863.	1864.	1865.	1866.	1867.	1868.	1869.	1870.	1871.	1872.	1873.	1874.	1875.	1876.	1877.	1878.	1879.	1880.	1881.	1882.	1883.	1884.	1885.	1886.	1887.	1888.
1. Number of Sittings of the Viceroy's Council each year																																																				
2. Acts passed at..																																																			

House adjourned at a quarter after Twelve o'clock.

—(*Mr. Bradlaugh.*)

HANSARD'S
PARLIAMENTARY DEBATES.

No. 13.] FIFTH VOLUME OF SESSION 1889. [JULY 11.

HOUSE OF COMMONS,

Wednesday, 3rd July, 1889.

MOTION.

COAL DUTIES (LONDON) ABOLITION BILL—SITTINGS OF THE HOUSE (EXEMPTION FROM THE STANDING ORDERS).

Motion made, and Question proposed,

"That the Order of the Day relating to the Coal Duties (London) Abolition Bill, if not previously reached, be taken at half-past Five of the clock this day, and be then proceeded with, though opposed, and the Proceedings thereon be not interrupted, and that the House do continue to sit until they are disposed of." —(*Mr. William Henry Smith.*)

*MR. JAMES STUART (Shoreditch, Hoxton): I do not intend to delay the House on this matter, but I propose to take a Division upon it because I do not approve of the proposal of the right hon. Gentleman to prosecute a Bill of this nature by having recourse to the suspension of the Standing Orders. No doubt there is a difficulty in the way of the Government in getting the Bill passed before the 5th, but they had time enough before the Bill got into this critical position to make up their minds in regard to it. We were certainly led to believe that they intended to abolish the Coal Dues in their entirety. I will not, however, enter into the merits of the Bill. I will only say that in opposing the suspension of the Standing Orders, we believe that if the Bill were to drop altogether, we should be freed from the imposition of the dues which the City now proposes to raise for a year. We entirely object to the manner in which it is proposed to deal with a Bill which relates solely to the pockets of the people of London. In order to pay a debt of the City it is proposed to tax the whole of the Metropolitan area, which is a hundred times as large as the area of the City, although the City provides one-eighth part of the rateable value. On that account, and on account of its importance to the Metropolitan constituencies, and believing that all this inconvenience could have been avoided if the Government had made up their minds in due time without resolving at the last moment to support the City at all hazards, I beg to oppose this Motion, and hold that the ordinary course of our proceedings be not interrupted.

*SIR R. FOWLER (London): I do not propose to detain the House at any length.

*MR. SPEAKER: Does the hon. Member second the proposal of the hon. Member for Shoreditch (Mr. J. Stuart)?

*SIR R. FOWLER: Certainly not. I only wish to say that the City of London consider that they have a moral claim to the support of this House, because they on the faith of these dues have carried out extensive improvements which were not especially wanted by the City, but which have been valuable to the whole of the Metropolis. The House decided to refer the matter to a strong Committee, presided over by an eminent Member of this House. The Report of the Committee is not what we had hoped, and would have liked it to have been. To a certain extent it is disadvantageous to us, but we are prepared loyally to accept it.

*SIR L. PLAYFAIR (Leeds, S.): I shall, of course, reserve any remarks as to the merits of the question until a

later period. I only wish to say that unless the Bill is passed everything will be dislocated, and there will be an immense inconvenience to the coal trade of the City. On this account I think the course proposed by the Government is a proper one.

MR. J. ROWLANDS (Finsbury, E.): In regard to the question whether there was any necessity for the Government to drive us into a corner, I must say that the course they have pursued in reference to this Bill reflects very little credit upon the Front Bench. We have something to consider irrespective of the burden which is proposed to be placed upon the Metropolitan constituencies. We feel that some time ought to have been given after the Second Reading of the Bill for an expression of opinion on the part of the Metropolitan constituencies, instead of which Her Majesty's Government have, twice within a fortnight, resorted to the extraordinary proceeding of suspending the Standing Orders in order to force the Bill through the House. It is a very serious matter, and hon. Gentlemen on the other side who propose to go into the Lobby against us may hereafter find that they have established a precedent which may tell to their own disadvantage. Nothing has been said that can justify the conduct of the Government in proposing the suspension of the Standing Orders. Of course it is very easy for the Government with a large majority at their back to put down those who are interested in the Bill, and there are hon. Members who may look upon it as a moral act, but I am afraid that there are people outside who will regard it as a most immoral act. And, as I have already said, it must not be forgotten that the precedent may be used hereafter in the case of Bills against which hon. Members opposite may have a stronger objection than we have to this Bill. We believe that the Government are forcing the Bill through in a most unjustifiable manner for the benefit of a very small section of the Metropolis.

*MR. PICKERSGILL (Bethnal Green, S.W.): I would submit that the plea of urgency which has been put forward on behalf of this Motion is not well founded. We are told unless the Bill is passed by Friday next it will be of no use. I entirely traverse that assertion, because it is a well-known fact that Taxing Bills have frequently been made retrospective in their operation. And if the Motion is unnecessary on the ground of urgency, it is still more objectionable on the ground of expediency. If ever there was a case in which it was desirable that the House should be in full possession of the evidence, this is that case. As the matter now stands, we are asked to accept the decision of the Committee without being made acquainted with one iota of the evidence upon which it is founded. For these reasons I shall oppose the Resolution of the Government.

MR. A. ACLAND (Yorkshire, W.R., Rotherham): I think it is to the interest of private Members to resent, at the proper time, the inroads which have been made upon their time during the present Session. When the question of taking away a further portion of their time comes under consideration, I trust that Her Majesty's Government will take into consideration the amount of time which will be taken to-day.

*THE FIRST LORD OF THE TREASURY (Mr. W. H. SMITH, Strand, Westminster): I think the House will see that I have endeavoured to take as little of the time of private Members as possible. It is only proposed that the Standing Orders shall be suspended at the hour when, by the Rules of the House, the business would, of necessity, be disposed of.

MR. HOWELL (Bethnal Green, N.E.): I do not think the House should be asked to pass this very important Resolution simply on the ground which has been stated by the First Lord of the Treasury. It is a most unexampled proposition, and I, for one, object to consider the Bill further until the evidence taken before the Select Committee has been published. We have no knowledge of the evidence taken upstairs, except that it was of the most meagre character, and that it fails to satisfy the demands either of hon. Members here or of the ratepayers of the Metropolitan constituencies. We are asked to allow the Standing Orders to be suspended simply to oblige the Government, who, while professing themselves in favour of the abolition of the dues, have yet allowed the matter to stand over to the very last moment. I shall vote against the proposal of the First Lord of the

Treasury, as a protest against the method of government by surprises which is now being adopted.

The House divided:—Ayes 135; Noes 36.—(Div. List, No. 170.)

Ordered, That the Order of the Day relating to the Coal Duties (London) Abolition Bill, if not previously reached, be taken at half past Five of the clock this day, and be then proceeded with, though opposed, and the Proceedings thereon be not interrupted, and that the House do continue to sit until they are disposed of.—(*Mr. William Henry Smith.*)

ORDERS OF THE DAY.

—o—

SMALL DEBTS (SCOTLAND) BILL. (No. 153.)

As amended, considered; an Amendment made; Bill read the third time, and passed.

INDECENT ADVERTISEMENTS BILL. [LORDS.] (No. 284.)

As amended, considered; Bill read the third time, and passed.

CRUELTY TO CHILDREN (PREVENTION) BILL. (No. 87.)

Considered in Committee.

(In the Committee).

Clause 4, relating to the power of search,

Amendment proposed, in page 3, line 19, to leave out the word "treated," and insert the word "ill-treated."—(*The Attorney General.*)

Question proposed, "That 'treated' stand part of the Clause."

In reply to Mr. J. KELLY (Camberwell, N.),

MR. MUNDELLA (Sheffield, Brightside): This is an Amendment which has been proposed by the Attorney General. I believe that its object is simply to place the clause on all fours with the clauses which have already been passed.

Amendment agreed to.

MR. J. KELLY moved to amend the words, "in a manner likely to cause" by omitting the word "likely."

Question proposed, "That the word 'likely' stand part of the Clause."

MR. MUNDELLA: The word objected to already appears in the first clause. These Amendments are Amendments for the Report stage of the Bill and ought not to be accepted here. I would therefore ask the hon. Member to postpone the Amendment until the Bill has been reprinted.

THE UNDER SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. STUART WORTLEY, Sheffield, Hallam): The right hon. Member for the Brightside Division (Mr. Mundella) is right. The first clause does contain the word "likely;" but the Attorney General explained that if it had not been too late to make an Amendment he would have preferred other words.

MR. J. KELLY: I will not press the Amendment.

Amendment, by leave, withdrawn.

MR. J. KELLY: The clause says, "may issue a warrant authorizing any person named therein." I move to omit the words "named therein," for the purpose of substituting the words "being a superintendent, inspector, or other officer of police." As the clause stands it confers extraordinary powers upon irresponsible individuals.

Question, "That those words be there inserted," put, and negatived.

*MR. SYDNEY GEDGE (Stockport) moved, in lines 26 and 27, to leave out "as circumstances may permit and require," and insert—

"In the same manner as if the person having its custody or control had been convicted, committed for trial, or bound over under Clause 3."

Question proposed, "That the words 'as circumstances may permit and require,' stand part of the Clause."

MR. MUNDELLA: I do not think that I ought to accept the Amendment, seeing that the words of the clause are taken verbatim from the Criminal Law Amendment Act.

*SIR A. ROLLIT (Islington, S.): As the Bill originally stood there may have been reason for the Amendment; but the Attorney General has intimated his intention of proposing a schedule, in which places of safety will be defined, and this will tend to meet the point under discussion.

*MR. GEDGE: The Amendment has nothing to do with places of safety. We are giving the Court power to deal with these children, and may order them to be handed over to the charge of their

next friend. Certain things may be done by the person to whose care a child is committed, and the clause as it stands is drawn so very wide that it would include a number of things, such as whipping the child. Surely it is enough to give the person into whose custody the child is placed proper control over it. It seems to me that the Amendment is necessary, and I shall divide the Committee upon it.

*Mr. STUART WORTLEY: Under Clause 3 there is the safeguard that the person who would naturally have the care and protection of the child should have been convicted, committed for trial, or bound over. That is quite enough latitude, even where such securities are provided; but under this clause there need be no conviction, nor any attempt to get one.

Mr. MUNDELLA: If the hon. Member demands a Division, I am afraid that he must take one. The question appears to me to be a most important one. If a child is found in a state of starvation, the Court would at once give instructions to have it taken care of, and it must be taken charge of by the workhouse, or the Local Authorities, while evidence is being obtained to show that the person who had charge of the child was not fit to be entrusted with its care.

*Mr. GEDGE: These matters are all dealt with by the 3rd clause. Everything the right hon. Gentleman asks for is given by the Amendment, but the clause as it stands gives further powers without defining them.

The CHAIRMAN: I may point out to the hon. Member for Stockport (Mr. Gedge) that under Clause 3 power is given to make an order committing the child to the care of a parent or some other person capable of taking care of it until the child attain the age of 14 years.

The SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. Matthews, Birmingham, E.): I have no desire to interpose any obstacle, but I confess that to my mind it is not clear what the right hon. Gentleman in charge of the Bill proposes to do by the clause. Clause 3 enables the Court to appoint a guardian if a child is treated improperly by its parents. Clause 4 goes further, and enables the Court to protect a child in reference to whom there may be a reasonable suspicion that it has been subjected to maltreatment. If the object is to place the child under proper protection until the case can be investigated, the words of the clause will require a little revision. With regard to the Amendment of my hon. Friend behind me, it does, to a certain extent, limit the clause, but I hardly think that it limits it enough. What Clause 4 ought to say is that, in case of reasonable suspicion, the Court shall have power to put the child in a place of safety until the proceedings have been settled.

Mr. MUNDELLA: The object of the clause is precisely what is stated in the Bill. Cases constantly occur in which, for instance, screams are heard, and everybody knows that cruelty has been practised, but there is no means of obtaining evidence. The object of the clause is to provide that in such cases where there is a reasonable ground of suspicion the Magistrates shall direct the police to enter the house to examine the condition of the child. The clause itself is taken from the Criminal Law Amendment Act, where it is aimed at the prevention of horrible crimes, such as incest.

*Sir A. ROLLIT: Not only is this the same clause as the one in the Criminal Law Amendment Act, but there has been no complaint of the excessive exercise of jurisdiction under that Act. Clause 3 deals with the permanent custody of the child, whereas Clause 4 only deals with the temporary custody of the child pending proceedings. Surely some latitude and discretion may be allowed to the Court as to the temporary custody.

*Mr. GEDGE: The clause imposes no limit. It says that the child having been taken care of for temporary purposes, and the parent having been convicted, the Court may deal with it as it likes.

Mr. STOREY (Sunderland): My sympathies are with my right hon. Friend the Member for Sheffield. All who are interested in the question of Local Government in towns know the evils that constantly occur in connection with cruelty to children, and the difficulty of providing a remedy. Therefore if the clause simply provided that the child should be pro-

tected and placed in a place of safety until the Magistrates could deal with the case, I should not have the slightest objection to it. But the words of the clause are so vague and general that they would cover any extraordinary act on the part of the Court. As it is notorious in the history of England that Magistrates have constantly been guilty of an extraordinary excess of power, I shall feel it my duty, if the Amendment is pressed, to vote for it.

MR. MUNDELLA: Although, as I have said, the words of the clause are taken from the Criminal Law Amendment Act, I am willing, as there was no intention to make it a permanent custody of the child, to accept the Amendment.

Question put, and negatived.

Question,

"That the words 'in the same manner as if the person having its custody or control had been convicted, committed for trial, or bound over under Clause 3,'" be there inserted,

put, and agreed to.

Question, "That Clause 4, as amended, stand part of the Bill," put, and agreed to.

Clause 5.

*MR. PICKERSGILL (Bethnal Green, S.W.): I have to move, in line 4, after the word "person," to insert, "and the wife or husband of such person." As the Bill is drawn the wife or husband of the person charged under the Act would not only be a competent, but a compellable witness. I maintain that that is altogether a new departure from the fundamental principles of English law. In the older English law there were only two cases in which a wife could be compelled to give evidence against her husband, one of which was doubtful and the other well-established — the doubtful case being the case of high treason, and the well-established case that in which the offence charged was personal violence committed by the husband on the wife. If the Attorney General were in his place I would claim his support for my Amendment, seeing that he introduced last year, and has re-introduced this year, the Criminal Evidence Bill, which provides that the wife or husband of the person charged shall not be called as a witness without the consent of the person charged. Recent Statutes have only brought us to this point—that the wife may be admissible as a witness against her husband in some cases with her husband's consent, and in other cases with her own consent, but in no case can she be compelled to appear in the box and give evidence against her own will and the will of her husband. I protest against making, on the present occasion, a still further modification of the doctrine of Common Law. There has been too much dealing with the Common Law of the country piecemeal. It may be that there are doctrines of the Common Law which require to be modified and corrected by statute. I believe there are; but, at all events, let us correct and modify them in a general and systematic manner. Having made the wife an admissible witness with her own consent in some cases, and in others with the consent of her husband, we are now asked to compel her to give evidence against the consent of both. I submit that we should do well to follow in this respect the Criminal Law Amendment Act.

Amendment moved, Clause 5, page 4, line 4, after "person," to insert "and the wife or husband of such person."

Question proposed, "That those words be there inserted."

*MR. CHANNING (Northamptonshire, E.): My hon. Friend, in moving his Amendment, has forgotten that in many of the worst cases with which the Society for the Prevention of Cruelty to Children have had to deal, practically cases of manslaughter by the father and mother together, conviction would be impossible without the evidence of one or the other.

MR. J. KELLY: I have given Notice of an Amendment to the same effect as that of the hon. Member opposite. So far as the cases of manslaughter referred to by the hon. Member for Northamptonshire (Mr. Channing) are concerned, in almost every instance the guilty persons have been brought to justice under the existing law. The Committee are now asked, in cases of the most trivial character, where for instance a man allows a boy to sell from a barrow one minute after 10 o'clock at night, to force the poor wife into the witness box in order that she may send her husband to prison and break up her own home. The House shrank from taking that

course in the Criminal Evidence Act. Is it to be taken now? I think we should pause before we place a poor woman in a position in which she must either commit perjury or convict her own husband. I trust that the hon. Member opposite will divide the Committee upon his Amendment.

MR. MUNDELLA: The hon. Member for Camberwell tells the Committee that this clause may be used as the case of a costermonger who keeps his child employed for a minute after 10 o'clock at night. If that were all there would be no necessity for the clause. What we desire to deal with are the cases in which a child is cruelly treated by one parent, and the other parent is willing to give evidence but dare not do so; and although willing to be compelled she cannot be compelled. This power is already given in the case of married womens' property. The clause of the Married Womens' Property Act, 1882, reads thus—

> "Husband and wife respectively shall be competent and admissible witnesses, and in some cases compellable witnesses."

Thus in the case of a woman's property she is to be a compellable witness; but in the case of the ill-treatment of her child we are asked to withhold the power. I hope that our sacred regard for the Common Law will not override the desire we ought to feel for the protection of children from inhuman treatment.

*SIR A. ROLLIT: The hon. Member for Camberwell seems to have great consideration for everything and everybody except the children. It seems to me that the case is a very exceptional one, and one in which the evidence is often necessarily limited to that of members of the family, and that we ought to extend every possible protection to children in order to prevent them from being cruelly treated. All we ask is that the Magistrate shall hear the evidence of every witness, and then make allowance for the circumstances under which that evidence is given.

*MR. MATTHEWS: No one has more respect for the doctrines of Common Law than I have; but the old principles of Common Law as to evidence have long ago been changed. The old principle of Common Law was that untrustworthy evidence should not be laid before a jury who were not skilled in weighing evidence, and, therefore, everybody was excluded who had an interest in the case, even to the extent of a pecuniary interest. A husband since then has been enabled to give evidence both in civil and criminal cases, but at a heavy price, as the result has been to encourage perjury. Evidence given by persons who have a direct interest in a case is regarded as eminently untrustworthy. If you put a wife into the box to give evidence against her husband she will, in all probability, prevaricate and deny; and it is extremely unlikely that she will give trustworthy evidence. But, on the whole, I agree with the right hon. Gentleman in charge of the Bill that, having once embarked on the course of endeavouring to get evidence from those who know the facts, although they may have every possible motive for concealing them, it is most important that the chief object of making them competent witnesses should not fail. But I believe that the proposal is a novel and a dangerous one; and although it is suggested that in many cases the wife would be willing to give evidence if compelled, yet the putting of her in the box might expose her to maltreatment at the hands of the most guilty party, and to place her in a position of divided duty.

*MR. PICKERSGILL: The hon. Member for Northamptonshire referred to cases where the charge is one of manslaughter; but, in such cases, I apprehend that no difficulty has been found in bringing the offenders to justice. The right hon. Gentleman on the Front Bench has relied on the Married Womens' Property Act. Well, I would suggest that this Act is not at all analogous to that. In that case, the wife herself is the prosecutrix, and it is quite within her power to say whether she will prosecute or not. It is almost impossible under that Act to force a woman to give evidence if she is unwilling to do so. If she is desirous to prosecute, she will be a willing witness. My hon. and learned Friend opposite urged that Magistrates should be allowed to hear all evidence; but he himself will see what extraordinary latitude an argument of that kind gives. I object very much to the discretion already given to Magistrates, and I hope that this Amendment will receive due considera-

tion at the hands of the Committee, having regard to its importance. I think it might very well be left to the general law, which we all understand. The right hon. Gentleman seems to think I have an undue sense of importance of the doctrines of the Common Law. What I am now protesting against is the slashing and mutilation of those doctrines, by piecemeal legislation, into shreds and patches without coherence or consistency.

MR. C. DARLING (Deptford): I hope the Committee will reject the Amendment. I cannot help thinking it would procure the giving of evidence by those particular witnesses who are most unfit to give it. In the case of a husband charged with cruelty to a child, the wife would be a competent but not a compellable witness, and the result would be that the wife might have an interest in putting the blame on her husband. Supposing, for instance, they were on bad terms, she would willingly go into the witness box to do so. If, on the other hand, she were a compellable witness, who desired to shield the husband—and often, in these cases, the husband and wife are almost equally guilty—I think it would be a great advantage to the administration of justice if persons in that position were made to go into the witness-box and tell all they knew. My hon. and learned Friend says that if the question is put the witness could say—"I object to give evidence, because it would incriminate me." I can only suppose that the hon. Member contemplates that the question would be inartistically put; and I would venture to observe that it is possible to so conduct an examination as not to give the witness an opportunity of stating that the question put is an incriminating one. I think, also, if the husband and wife are made compellable witnesses, the effect would be very considerable in preventing children from being ill-used. My hon. Friend sitting near me never seems to lose sight of the supposed case of the child of a costermonger being out after dark, and he talks as if such cases are mainly those dealt with in the Bill. Let me remind him that the Bill deals with much more serious offences.

*MR. TOMLINSON (Preston): It is quite true that this Bill deals with serious offences; but we ought not to forget that there are also the class of cases alluded to by the hon. Member for Camberwell in which there might be great hardship inflicted in applying the provisions of this clause. It might be worth consideration whether the operation of this clause should not be limited to offences coming under the operation of Sub-section 1.

*MR. WINTERBOTHAM (Gloucester, Cirencester): I agree with the argument used by my hon. and learned Friend the Member for Deptford, that the fact of the husband or wife being compellable witnesses will have good effect in preventing cruelty to children. What we want is not to make it more difficult to obtain evidence, and I am afraid the Amendment would defeat this object. I have no respect or veneration for the old Common Law, as such. The object we have in view being to protect children, I must say I think that many of the Amendments which have been proposed by well-meaning Members would, in effect, cripple the Act and make it ineffectual. We want to get the most useful evidence of all—namely, the evidence of the parents; and if you prevent that being given, or make them only optional witnesses, I think the operation of the Bill will be very seriously interfered with.

MR. KELLY: I may point out that this section applies to even the most venial offences under the Bill, and I have very great doubt whether it would not be wise that this clause should apply only to offences under Section 1. I could conceive circumstances under which an affectionate father might have sent his child out, or sanctioned its going out, late in the evening in order to earn a few pence; and I doubt very much if that is a case in which this House ought to say that the wife should be a compellable as well as a competent witness. I trust that the right hon. Gentleman the Member for Sheffield will consider the desirability of limiting the operation of this clause to cases arising under Section 1, and I hope that my hon. Friend the Member for Bethnal Green will force this matter to a Division.

The Committee divided:—Ayes 13; Noes 191:—(Division List, No. 171.)

Clause agreed to.

Clause 6.

*Mr. PICKERSGILL: The object of the next Amendment in my name is to prevent the failure of justice in the most serious cases—that is to say, in cases which end fatally. As the Committee is no doubt aware, if between the committal for trial and the trial itself a witness should die, the depositions of that witness can be read upon the trial. But the statutes which make that provision in England and in Ireland limit it to the cases in which the original evidence was given upon oath or affirmation, and it would not therefore apply to the evidence of a child given before the magistrates in connection with offences under this Act. The difficulty has actually arisen under the corresponding section of the Criminal Law Amendment Act. In a recent case, where an important witness died between the committal for trial and the trial itself, the learned Judge who presided at the trial ruled that the depositions could not be put in evidence. It is therefore clear, as the matter stands, that in the most serious cases of all the offender might escape owing to the fact that the evidence of the principal witness would not be admissible on the trial. The Amendment which I have put on the Paper covers the case of England and Wales on the one hand, and of Ireland on the other. So far as Scotland is concerned the difficulty does not arise, because in that country it is not usual to put children of tender years upon their oath. I think the ends of justice will be materially assisted if the Amendment is accepted.

Amendment proposed, Clause 6, page 4, line 15, insert—

"And the evidence of such child, though not given on oath or affirmation, but otherwise taken and reduced into writing, in accordance with the provisions of section seventeen of the Act of the eleventh and twelfth Victoria, chapter forty-two, intituled 'An Act to facilitate the performance of the duties of Justices of the Peace out of Sessions within England and Wales with respect to persons charged with Indictable Offences,' or of section fourteen of 'The Petty Sessions (Ireland) Act, 1851,' shall be deemed to be a deposition within the meaning of those sections."—(*Mr. Pickersgill.*)

Question proposed "That those words be there inserted."

Mr. MUNDELLA: I confess that the Amendment of the hon. Gentleman seems to me to be a useful one, and would be of great service in cases in which, in the absence through illness or death of the child, the contributory evidence proved insufficient. Therefore, unless the Government see some reason why the words should not be inserted, I propose to accept the Amendment.

Mr. MATTHEWS: I have not had time to consider the Amendment, but I will do so between this and the Report stage. It seems to me that Clause 6 deals only with evidence actually before the Court, and I have some little doubt whether it would enable Magistrates taking depositions to take the evidence of a child not upon oath. If Clause 6 does enable that to be done on the preliminary inquiry with a view to future trial, and to take the evidence of a child of tender years not upon oath, then the words will be useful. But if it only enables a child to be heard as a witness at the actual trial of the indictment, then the words would be inoperative.

Mr. MUNDELLA: I think the words of this clause are identical with those in the corresponding clause of the Criminal Law Amendment Act.

Question put, and agreed to.

*Mr. GEDGE: I now propose to omit Sub-section B of Clause 6, which runs as follows:—

"Any witness whose evidence has been admitted under this section shall be liable to indictment and punishment for perjury in all respects as if he had been sworn."

I think it is absurd to expose a child of tender years, who may not understand the nature of an oath, to a prosecution for perjury. I would rather suggest that a child who lies should have a good whipping. If a Magistrate has told a child its duty is to tell the truth, then all we can do is to take the evidence for what it is worth. The sub-section will practically encourage prosecutions for perjury which can only end in acquittal, for no court would convict a child of tender years who did not know the nature of an oath. I hope that the Act will not be spoiled by the retention of these words.

Amendment proposed, Clause 6, page 4, leave out sub-section (B).

Mr. MUNDELLA: My hon. Friend must remember there will be other witnesses to whom this sub-section will

apply. The words are taken from the Criminal Law Amendment Act, and my right hon. Friend the Member for Bury insisted on their insertion in that Act in order to have the strongest safeguards possible against perjury. In the case of a child of tender years the Magistrates surely could judge of the credibility of its evidence.

*MR. GEDGE: You are dealing simply in this clause with children of tender years. I have great respect for the opinion of the right hon. Gentleman the Member for Bury; but he is not here to support his opinion, and I take it for granted he does not think it necessary.

*MR. TOMLINSON: Are we to understand that statements made by a child, without fear of punishment for not telling the truth, are to be accepted in the same way as depositions? I cannot think that that would be right. Surely some penalty should be attached to the making of false statements by a child. Unless something is suggested as a substitute for indictment as for perjury by a child, I shall oppose the omission of the sub-section.

*MR. SWETENHAM (Carnarvon): Perjury, as we all know, is a serious offence, because it is committed under the sanction of an oath, and it presupposes that a person fully understands the nature of that to which he deposes. Now, a child is to be exempted for taking an oath because he may not understand its nature; and therefore to subject a child to penalties for perjury when it does not understand what the meaning of perjury is, appears to be absolutely inconsistent with the rest of the clause. I cannot help thinking the right hon. Gentleman the Member for Bury could never have intended his observations to apply in cases covered by this sub-section. I join in supporting the Amendment.

MR. C. DARLING: The hon. and learned Member who has just spoken did not put the matter so clearly as he might have done. A child may well not understand the nature of an oath; but it could be made to understand that if it did not tell the truth it would be punished by the law. In these cases, a child is not to be allowed to give evidence unless the Magistrate is satisfied that, although it does not understand the nature of an oath, it understands the duty of speaking the truth, and possesses sufficient intelligence to justify the reception of its evidence. What does it mean when it is said that a child understands the duty of speaking the truth? It means it understands it will be punished if it does not speak the truth. Therefore, if a child is intelligent enough to know its duty is to speak the truth, the Magistrate can say to it—"If you do not speak the truth you will be punished." That is a thing which a child can perfectly well understand. Nobody who has practised in a Court of Justice can say that a child understands the nature of an oath. What usually occurs is, that the Magistrate asks—"Do you know it is wrong to tell a lie?" and the child says "Yes." Then the Magistrate will ask—"Do you know what will happen to you if you tell a lie?" and the child, as a rule, says "No." I remember one case in which the learned Judge rejoined—"And I am sure I cannot tell you." It is a very difficult matter indeed for a child of tender years to understand the nature of an oath; but if you tell it that its duty is to speak the truth, and that it will be liable to be punished if it does not, I think that would be sufficient. I hope that my hon. Friend will withdraw the Amendment. I may point out that in some cases persons are liable to indictment for perjury without having taken an oath—such as in cases of statutory declaration.

MR. KELLY: I am of opinion either that this clause must be given up altogether or the whole of it must be retained. I quite agree with my hon. and learned Friend the Member for Deptford that if a child understands the duty of speaking the truth it ought to be punished if it does not tell the truth in a Court of Justice, and I am, therefore, unable to support the Amendment of the hon. Member for Stockport. Unfortunately, throughout this clause, the cases of cruelty to children have been treated on exactly the same footing as offences under the Criminal Law Amendment Act. Under the latter Act, however, in cases of brutality to children, the child's evidence is often the only available evidence, and, therefore, it was necessary that some such provision as this should be inserted in that Act. But I think it most unfortunate that, in a Bill which only professes to deal with

the employment of children, you should insert provisions analagous to those contained in a measure affecting the fearful class of offences dealt with under the Criminal Law Amendment Act.

*MR. SWETENHAM: Would it not meet the difficulty if we inserted a provision that children might be whipped for perjury instead of being sent to a place from which they are liable to come out worse than when they went in? Will the right hon. Gentleman agree to add the words "liable to punishment for perjury by whipping?" I think that that would be sufficient.

MR. MUNDELLA: I am afraid I cannot, offhand, consent to an alteration of that nature. Perhaps the hon. Member will defer that point until the Report stage.

*MR. STUART WORTLEY: I think the clause ought to stand as it is. The Committee must remember that the Government have submitted to the other House proposals for providing the alternative of corporal punishment in all cases of indictable offences by children. We must not look only at maximum punishments. I would draw the attention of the Committee to the fact that the value of the subsection will be found in its preventing unscrupulous parents from inducing their children to make false charges.

Amendment, by leave, withdrawn.

Clause agreed to.

Clause 7.

MR. KELLY: I think that in ordinary cases the onus of proving the age of a child is often cast on an offender, and I therefore propose to substitute the word "parent" for "person," so that only a parent who contravenes the Act in respect of a child under the specified age should be obliged to prove that the child was over the age. A stranger might have no possible means of verifying a statement as to a child's age; and is it fair he should have cast on him the onus of proving the child's age? Possibly the right hon. Gentleman will say the section is limited by the words "appears to be under the age." It is difficult to tell the age of some poor children owing to the conditions of life to which they have been accustomed. Those who are entrusted with the care and custody of children may be strangers in blood to the children; and, therefore, it seems to me it would be very hard if, when any question of age arose, the onus of proof should be cast entirely upon them.

Amendment proposed, in Clause 7, page 4, line 25, leave out "person" and insert "parent."—(*Mr. Kelly.*)

Question proposed, "That the word 'person' stand part of the Clause."

MR. MUNDELLA: Surely this is a case where, if a child, as defined in the clause, appears to be under age, the benefit of the doubt should be with the child.

Question put, and agreed to.

Amendment proposed, in Clause 7, page 4, line 27, after "appears," insert "to the Court."—(*Mr. Sydney Gedge.*)

Question proposed, "That those words be there inserted."

MR. MUNDELLA: I should be glad if the hon. Gentleman will defer this matter until the Report stage.

*MR. SYDNEY GEDGE: I would rather do all the good I can now, than leave an Amendment until Report.

MR. MUNDELLA: I will accept the Amendment.

Question put, and agreed to.

Clause 7, as amended, agreed to.

Clause 8.

Amendment proposed, in page 4, line 38, after "district," insert "or of the police for that district."—(*Mr. Stuart Wortley.*)

Question, "That those words be there inserted," put, and agreed to.

Amendment proposed, in page 5, at end, add—

"The expression 'Local Authority' means, as regards any borough in England, the Council of the borough; as regards the City of London, the Common Council; and as regards any other place in England, the County Council; as regards Ireland, the Sanitary Authority within the meaning of 'The Public Health (Ireland) Act, 1878.'"—(*Mr. Stuart Wortley.*)

Question proposed, "That those words be there inserted."

MR. KELLY: With this authority will lie the duty of arranging, limiting, or extending the hours during which children may be employed, and I can conceive no

more unsuitable body to have that duty cast upon them in many cases than the County Council. London is not the strongest case by any means. The other day I mentioned the case of Stourbridge, where Town Commissioners constitute the Local Authority. It seems to me the people of Stourbridge would not be very fairly treated if it were left to the County Council of Worcestershire to settle the hours during which the children should sell in the streets of Stourbridge. I am quite aware objection will be taken to the substitution of the words "vestry or local sanitary authority of the district." It may be argued that the substitution of such words might, in the case of London, lead to the different vestries adopting different hours. But I am persuaded that all Representatives of the divisions of South London will agree that the vestries, if this power is placed in their hands, will act upon some uniform system.

Amendment proposed to the proposed Amendment, in line 4, leave out "County Council," and insert "vestry or local sanitary authority of the district."—(*Mr. Kelly.*)

Question proposed, "That the words 'County Council' stand part of the proposed Amendment."

*MR. J. E. ELLIS (Nottingham, Rushcliffe): I agree with the hon. Member to a certain extent. "County Council" certainly embraces too large an area; and, therefore, I venture to suggest that we should insert the words "as regards urban sanitary districts, the local boards." While I cannot support the insertion of the word "vestry," I think we might very properly insert the words I mention.

MR. KELLY: What I am particularly anxious to do is to preserve this power to the bodies who will be subsequently displaced by the District Councils. I am quite willing that the power should be given to Local Sanitary Authorities wherever they exist.

*MR. TOMLINSON: Consider what would happen in large counties such as Lancashire. All the county boroughs and municipal boroughs will be outside the jurisdiction of the County Council separately; and, therefore, we shall have a body sitting in one particular part of the country trying to exercise these powers in respect to little detached places spread over a widely extended area. How is a County Council to judge of the circumstances of isolated localities? Surely the Local Board or the Sanitary Authority would be the most suitable body to be intrusted with these powers.

*MR. SYDNEY GEDGE: I am sorry the Attorney General is not here to defend his Amendment, because I prefer it to the proposal of the hon. Member for Camberwell (Mr. Kelly.) If you want a representative body the County Council is a typical one. Although I admit this is a duty which should be imposed on District Councils when they are established, in the meantime the County Council is the best body to be entrusted with it. The County Council will not be influenced by mere local prejudices, but will look at the matter all round, and no doubt come to a just decision.

MR. MALLOCK (Devon, Torquay): I hope this power will be given to Urban Sanitary Authorities, if not to Rural Sanitary Authorities. There is a town in my Division with 27,000 inhabitants, and the Local Board is the Sanitary Authority. The County Council sitting in Exeter cannot possibly know what is best for such a district.

MR. MUNDELLA: I feel we ought not to interfere with the Sanitary Authority. I would suggest that the Amendment should read—"and as regards any other place any Urban Sanitary Authority." That would meet the whole case, and would place the power in the right hands.

MR. KELLY: What I wished principally to raise was the question whether the County Councils were the proper authorities to deal with the question, and I am glad to find there is a general opinion that the County Council would not be the proper body for that purpose. I am sorry to differ with the right hon. Gentleman on the subject of London; but if he likes I will withdraw my Amendment now in favour of his, reserving the right, after consideration, if it should be deemed necessary on Report, of moving an Amendment to place the power in the hands of the Vestries of London, not of the County Council.

Amendment to Amendment, by leave, withdrawn.

Amendment to Amendment proposed, in line 3, to insert, "as regards the County of London the County Council."—(*Mr. Mundella.*)

Amendment agreed to.

Amendment to Amendment proposed, after "England," insert "the Urban Sanitary Authority."—(*Mr. Mundella*)

MR. KELLY: I do not think this will meet the case. If it were left local—"Sanitary Authority of the district"—that would include both Urban and Rural Authorities, and if there is any alteration of this found to be required we could put it right on Report. I am most anxious not to impede the progress of the Bill; but there are already many matters left over for Report, and I think it is better to settle the matter so far as we can at this stage.

MR. MUNDELLA: I am willing to insert "Urban and Rural Sanitary Authority."

MR. STUART WORTLEY: Those words can go in, on the understanding that between now and Report stage I will confer with the President of the Local Government Board on the point.

Amendment to Amendment withdrawn.

Amendment to Amendment proposed, after "England" to leave out "County Council," and insert "Urban or Rural Sanitary Authority."—(*Mr. Mundella.*)

Amendment agreed to

Amendment, as amended, agreed to.

Clause 8, as amended, added to Bill.

Clause 9 agreed to.

New clauses.

New clause proposed:—

(Saving for proceedings under other laws.)

"Where an offence against this Act is also punishable under any other Act, or at common law, it may be prosecuted and punished either under this Act, or under the other Act, or at common law, so that no person be punished twice for the same offence."—(*Mr. Attorney General.*)

Clause read a second time and added to the Bill.

*SIR R. TEMPLE (Worcester, Evesham) (on behalf of MR. WILLIAM CROSS), after clause just added, insert the following clause:—

(Appeal from summary conviction to general or quarter sessions.)

"When, in pursuance of this Act, any person is convicted by a court of summary jurisdiction of an offence, and such person did not plead guilty or admit the truth of the information or complaint, he may appeal to a court of general or quarter sessions against such conviction. Such appeal shall be subject to the conditions and regulations as to procedure contained in section thirty-one of 'The Summary Jurisdiction Act, 1879.'"

MR. KELLY: It is right, I think, to mention that this is a considerable extension of the power of appeal under the existing law.

*MR. TOMLINSON: Of course, this power of appeal has reference to convictions; it may be desirable there should be power of appeal against orders relating to the custody of a child. I do not know whether this point has been considered.

MR. MUNDELLA: That is already provided for in the Bill. The hon. Gentleman will find it elsewhere.

Clause read a second time and added to the Bill.

*SIR R. TEMPLE: On behalf of my hon. Friend (Mr. W. Cross) I beg to move the next clause as it appears on the Paper, and I earnestly hope it will find acceptance from the right hon. Gentleman. If that is the case, I need not trouble the Committee with any reasons in support of it.

Motion made, after Clause last inserted, to insert the following Clause:—

(Act not to affect punishment of children by teachers.)

"Nothing in this Act contained shall be construed to affect or relate to the administering of punishment by a teacher under his or her charge."

Question proposed, "That this Clause stand part of the Bill."

MR. MUNDELLA: I am sure my hon. Friend is aware there is no intention whatever by this Bill to restrict action necessary for the maintenance of discipline in a school. But this clause is a great deal too narrow in its terms. It confers no right a teacher does not already possess, and if the hon. Baronet will look at the next clause of which notice has been given by the hon. Member (Mr. W. Cross), he will see that it covers everything that is required—

"Nothing in this Act contained shall be construed to take away or affect the right of any parent or person having the lawful control of a child to administer reasonable and moderate punishment to such child."

The words "other person" covers the teacher, as having legal control for the time being, and exempts such person from any liability for the administration of reasonable and moderate punishment.

*SIR R. TEMPLE: But the second Amendment is not considered by the teachers to be sufficient, because there may be a doubt whether the expression "person having the lawful control" includes a teacher. I agree with the right hon. Gentleman that it does, but others may have a different impression. Would the right hon. Gentleman mind adding the word "teacher" to the next Amendment?

MR. MUNDELLA: Yes; I would accept that.

*SIR R. TEMPLE: Then I will ask leave to withdraw this Amendment.

Motion, by leave, withdrawn.

Amendment proposed after clause last inserted, insert—

(Act not to take away right of parent, &c., to administer reasonable and moderate punishment.)

"Nothing in this Act contained shall be construed to take away or affect the right of any parent, teacher, or other person having the lawful control of a child to administer reasonable and moderate punishment to such child."—(*Sir R. Temple*, on behalf of Mr. W. Cross).

Question proposed, "That this Clause be read a second time."

MR. KELLY: I think it rather unfortunate the last Amendment was withdrawn. I venture to think the word "teacher" presents a difficulty. It is not such a simple word as may be supposed, and there is no definition of it in the Bill. I also think the words "having lawful control" are somewhat vague in this connection, and in reference to children at day-schools may be rather troublesome. I may say it is a matter of importance to teachers, having in view the action taken by a certain society. I have been told with exultation that the Society for the Prevention of Cruelty to Children will avail themselves of this Act to prevent corporal punishment. I believe since the passing of the Elementary Education Act there have been only 172 cases in which teachers have been brought before any Court in reference to punishment of children, and I believe I am correct in saying that in only 32 cases have there been convictions for cruelty. School teachers have responsible positions; they must maintain discipline in their schools, or they lose their grant, and it must be obvious that to maintain discipline there must be a power of administering corporal punishment. The efforts of the Society I refer to are directed against the administration of corporal punishment. I have here a copy of a notice in which the Society invite information to be sent to the local secretary by parents and others of all cases of cruelty to children, and the Society undertakes the cost of further inquiry and proceedings. To this is added the postscript: "N.B. 'The name of informant kept strictly private.'" All over the country the Society are trying to get up these hole-and-corner inquiries, and to induce people, under the promise that the names of informers shall be kept private, to bring all sorts of charges against a most deserving class of persons—the masters and teachers in our schools. These are absolutely persecuted by the Society. I gave the House an example the other day; here is another. A boy named Stephen Martin, in the Board School at Rye, was punished by the head master. The mother of the child threatened to "make it hot" for the master, and she communicated with the local agent of the Society. An inquiry was held of the most extraordinary character. In the first place, it turned out that the Chairman of the School Board, who was a doctor, had examined the child soon after the punishment was inflicted, and he declared it must have been very light. The Vice-Chairman did the same thing and expressed the same opinion. This was made known to the Society; but they went to the Superintendent of Police, who made inquiries on their behalf, inquiries of which the unfortunate master had no notice until the Society's agent came to him and tried to entrap him into admission. Perhaps they acted in the belief that they were doing right; but having found that their case had altogether broken down, they forwarded a communication to the poor schoolmaster in a large envelope with

the name of the Society advertised on the outside. They knowing, on the evidence of Dr. Addison and the Vice-Chairman, that the schoolmaster had not exceeded his duty, sent this envelope which, of course, people seeing would understand to be a minatory notice. I understand they have altered the form lately ——

THE CHAIRMAN: I do not see how the action of the Society affects this question at all. The hon. Member must speak to the clause.

MR. KELLY: Under this Bill there will be power of dealing with cases of assaults on school children by masters and teachers, and what I wish to point out is how they are dealt with at present. On previous occasions this Bill has been promoted by different Members on behalf of this Society ——

THE CHAIRMAN: The hon. Member's remarks are not relevant to the clause.

MR. MUNDELLA: I will not detain the Committee many moments, if I may be allowed to explain, in reference to the hon. Member's allusion ——

THE CHAIRMAN: It will be quite irregular to enter into these matters.

*SIR R. TEMPLE: I would only ask the right hon. Gentleman to say whether he will agree to the words "parent, teacher, or other person having lawful control."

MR. MUNDELLA: If it would strengthen the protection to the teachers, I have not the least objection. I am the last man in the House who would wish to do anything contrary to the interests of the teachers. I must, if I may be allowed, just say this—that not one single summons has been taken out by the Society against a teacher, and in only one instance was a scholar's expenses paid by the Society. I am anxious to give the teachers an assurance that all reasonable moderate punishment they may have to administer as discipline will not subject them to any liability under the Act.

*SIR R. TEMPLE: With that expression of opinion I hope the clause will be agreed to.

MR. KELLY: Quite appreciating the hon. Baronet's intention, and with every desire to aid him, I would point out there are many cases the clause would not include. Take an ordinary case. In almost every village in the country there is a school conducted by the schoolmaster aud his pupil teacher. If the master should be ill or absent, it devolves on some gentleman, generally the vicar, to come and maintain order in the school.

An hon. MEMBER: That is being in charge.

MR. KELLY: No, not in charge, but exercising a temporary control. It is a matter to consider how far the delegation of authority includes the right to administer punishment. I have in mind a case in a private school where the master was seriously ill, and his brother took charge of the school. He was not a teacher in any sense, and had no charge or control of the boys as a teacher; he was rather there for the purpose of keeping the establishment going, and seeing that the boarders were properly looked after. There is a difficulty at once to determine who has the lawful control. My child goes to a day school. I have lawful control over him, and exercise it—not by corporal punishment—but I venture to think that in such cases only the parent has lawful control, and in the immense number of cases children attend day schools. It is a great question in these cases whether the schoolmaster would be protected at all. Should not the clause run something in this way?—

"That nothing in this Act contained shall be construed to affect the administration of any punishment on any child in any school."

I only seek to secure that the Act shall not interfere in such cases. You can still punish a man who administers corporal punishment where he has no right to do so. I would leave protection where it is now.

MR. MATTHEWS: I would suggest that the words "reasonable and moderate" should be omitted. It is intended that the schoolmaster should be left to the Common Law right to administer punishment according to the character of the offence, whether grave or trivial.

MR. MUNDELLA: The words follow the very language used in a Judgment delivered by Chief Justice Cockburn.

*MR. GEDGE: That is all very well; but the objection is that the existing law deals with the case if the punishment inflicted is of an unreasonable and immoderate character. To the

existing law we would leave it, and not bring it under this Act with the remarkable consequences that follow.

*SIR R. TEMPLE: After hearing what has been said by the Home Secretary and the hon. and learned Member I am quite ready to omit the words.

MR. CHANNING: It seems to me the words represent the practical and common sense view of our intention, and I hope the Amendment will not be made.

MR. ELTON (Somerset, Wellington): I must say that I think this clause would be a great boon to schoolmasters; but if I thought it would give any particular rights to persons having the control of children—as the hon. Member seems to suppose—I should vote against it.

MR. C. DARLING: I trust the right hon. Gentleman will not think of adopting the suggestion of the hon. Member for Camberwell as to enlarging the definition in the clause.

Question put, and agreed to.

*MR. TOMLINSON: To render the clause more specific, I would move to insert after the word "parent" the word "schoolmaster." The word "teacher" might, in certain cases, be held to apply only to the person actually engaged in teaching the child, and not to the person higher in authority. In many schools the person to inflict the punishment would be the head schoolmaster, not the actual teacher.

Amendment proposed to the proposed new Clause, line 2, after "parent," insert "schoolmaster."—(*Mr. Tomlinson.*)

Question proposed, "That the word 'schoolmaster' be there inserted."

MR. MUNDELLA: I must say I think the word "teacher" is wider than "schoolmaster." The teacher will stand towards the child under his tuition *in loco parentis*, and under that description the schoolmaster or schoolmistress would be included. I am anxious to make the clause as comprehensive as possible. As for the Amendment suggested by the hon. Member for Camberwell, I never yet heard a more unreasonable ——

THE CHAIRMAN: Order, order!

The Committee divided:—Ayes 72; Noes 152.—(Div. List, No. 172).

Amendment to the proposed new Clause line 2, after "control," insert "or charge."—(*Mr. Mundella.*)

Amendment agreed to.

*SIR R. TEMPLE: I move, in line 3, to leave out the words, "reasonable and moderate," before the word "punishment."

Amendment moved to the proposed new Clause, line 3, leave out "reasonable and moderate."—(*Sir R. Temple.*)

Question proposed, "That the words proposed to be left out stand part of the proposed new Clause."

MR. MUNDELLA: I have the authority of Chief Justice Cockburn for the words as they stand; however, I accept the Amendment, which will make no practical difference, because only "reasonable and moderate" punishment is lawful.

Question put, and negatived.

New Clause read a Second Time, and added to the Bill:

"The enactments specified in the Schedule to this Act are hereby repealed to the extent in the third column of that Schedule mentioned.

Provided that such appeal shall not affect—

(a.) Anything duly done or suffered under any enactment hereby repealed; or

(b.) Any penalty, forfeiture, or punishment incurred under any offence committed against any enactment hereby repealed; or

(c.) Any legal proceeding in respect of any such penalty, forfeiture, or punishment;

and any such legal proceeding may be instituted and carried on, and the penalty, forfeiture, or punishment enforced, in like manner, as if this Act had not passed."—(*Mr. Attorney General.*)

MR. MUNDELLA: I beg to move the following new Clause, which I have been requested by the Local Government Board to insert:—

"The guardians of any union or parish may, out of the funds under their control, pay the reasonable costs and expenses of any proceedings which they have directed to be taken under this Act in regard to the ill-treatment, neglect, abandonment, or exposure of any child, and in the case of a union shall charge such costs and expenses to the common fund."

Question proposed, "That this Clause be read a Second Time."

*MR. TOMLINSON: I should like to have some explanation of the necessity for inserting this Clause.

MR. MUNDELLA: The explanation is a very simple one. As I have said, I

have been requested by the Local Government Board to insert it. It is their own drafting, and they say it is necessary. The Guardians have to pay the expenses, and the Board says they should have this power.

MR. ELTON: Suppose the Guardians delegate the matter to some philanthropic or other society, it might be a little hard on the ratepayers. How does the right hon. Gentleman propose to guard against such a thing?

MR. MUNDELLA: Such a society would not be acting under the direction of the Board of Guardians. The clause says—

"Pay the reasonable costs and expenses of any proceedings which they have directed to be taken under this Act."

Those words cover the objection.

Question put, and agreed to.

*MR. TOMLINSON: I move to leave out the words "directed to be."

Amendment moved to the proposed new Clause, line 3, leave out "directed to be."—(*Mr. Tomlinson.*)

Question proposed, "That the words proposed to be left out stand part of the proposed new Clause."

MR. MUNDELLA: I cannot accept the Amendment. The clause comes from a Government Department, and there is no one here at this moment to represent that Department. Perhaps it would be as well to leave the question over until the Report.

MR. STUART WORTLEY: I have the authority of the Local Government Board for saying that they agree to this clause. It is clear that a Board of Guardians could not "direct" anyone who is not their servant to take action under this measure.

Question put, and agreed to.

Question, "That this Clause be added to the Bill," put, and agreed to.

MR. JOHN KELLY: Will it be convenient to have the Bill reprinted?

MR. MUNDELLA: I understand that it will be forthwith reprinted, and, if necessary, I will make a Motion to that effect.

Bill reported; as amended, to be considered upon Wednesday next, and to be printed. [Bill 308.]

Mr. Mundella

INTERMEDIATE EDUCATION (WALES) BILL (No. 4.)

Considered in Committee.

(In the Committee.)

*SIR W. HART DYKE (Dartford) moved, Clause 1, p. 1, line 9, after "Acts," add "and may be cited together with those Acts as the Endowed Schools Acts, 1869 to 1889."

Question, "That those words be there added," put, and agreed to.

*SIR W. HART DYKE moved, Clause 2, page 1, line 10, leave out "provide," and insert "make further provision."

Question, "That 'provide' stand part of the Clause," put, and negatived.

Question, "That the words 'make further provision' be there added," put, and agreed to.

*SIR W. HART DYKE moved Clause 2, page 1, lines 11 and 12, leave out, "and the county of Monmouth."

Question proposed, "That the words 'and the county of Monmouth' stand part of the Clause."

*MR. T. P. PRICE (Monmouth): As one of the Representatives of the county of Monmouth, I wish to say a few words upon the exclusion of that county. The proposal has caused very deep feeling throughout the county and throughout Wales. It is a very short time, indeed, since the President of the Council set down his Amendments; but even in that short interval there have been a large number of Petitions from various Local Authorities against the exclusion of Monmouth. Notwithstanding Henry VIII.'s policy, if he ever had one, which did not make Monmouth a part of Wales, Monmouth was entirely Welsh. It was Welsh in race, tradition, and geographically; it was Welsh in sentiment, and Welsh by its similarity of industries. The Act of Henry VIII. had been in operation 400 years, yet it had not altered the nationality of Monmouth. Almost every parish, farm, and field had a Welsh name; and he ventured to say that the feeling of the great bulk of the people of Monmouth was in favour of being included in this intermediate education scheme for Wales. The Departmental Committee

of 1881, a very strong Committee, contemplated the inclusion of Monmouth in the Intermediate Education Act. They stated that Monmouth was amply provided with endowments, but that the endowments lay outside the population, and that there were densely populated mining districts where there were neither endowed schools, nor indeed any school of any kind whatever. At the present time, no doubt, there were sparsely populated districts in Monmouth, and which were likely to be still more sparsely populated; but there were centres of mining industry where where the population was likely to increase. I may say that there is a large development of minerals going on in Monmouth at the present moment. In a very few years there will probably be a score of new pits, which will attract a very large population, and I venture to say the bulk of the population will be Welsh. For these reasons, both on account of the natural conditions of the country, and most strongly on account of the Departmental Report of 1881, I do hope that this House will be induced to include the County of Monmouth in the Intermediate Education Bill for Wales.

MR. WARMINGTON (Monmouth, W.): I must say I am greatly disappointed at the action of the Government. This is the first attempt with regard to our education scheme to exclude Monmouth. In 1880, its inclusion went without saying, and Earl Spencer in a letter to the Chairman of the Deparmental Committee (Lord Aberdare) used the phrase Wales to include Monmouth. There never was a doubt on the part of the Committee, although it was composed of politicians of different sides, about Monmouth being included in the area of their inquiry. Nor does the hon. Member for Denbighshire exclude Monmouth from the area of his Bill dealing with this subject. It is now for the first time, and without a word of justification, that Monmouth is to be excluded from this Bill. I should like to know what means the Government have taken of ascertaining the opinion first of Wales as to whether Monmouth should be excluded, and, secondly, whether Monmouth itself desires to be included. I can hardly believe that the Government have taken any means whatever to ascertain these two important facts. I have had the pleasure of often going across the border of Monmouth into the Principality, and I have not found that I have had to deal with people of different tastes or desires with regard to intermediate education. On the contrary, I have met with people animated by exactly the same desires as those which animated the people of Monmouth; and in Monmouth the great representative bodies, so far as the Government have allowed them, have unanimously expressed their opinion in favour of the inclusion of the county. A hastily summoned meeting of the County Council decided by 24 to 4 in favour of the inclusion. The vast majority of the people of Monmouthshire cannot be distinguished from the Welsh population. In a great many parts of the county conversation is carried on in Welsh; and in nearly every town of my division there are chapels in which the Welsh language is used by the ministers, and where the Welsh language is used by a great portion of the people. The people of Monmouth take the very deepest interest in this great struggle. They regard the improvement of their education as the great lever by which they can lift their fellow-countrymen, and to deny for the first time Monmouth the benefit of that education is, I must say, a very harsh step.

MR. RADCLIFFE COOKE (Newington, W.): Sir, some of the arguments which have been advanced by the two previous speakers would apply to others of the adjoining counties besides Monmouthshire. In Herefordshire you will find many of the farms bearing Welsh names, and many Welsh terms used, yet I find no public desire there to include the county in the intermediate Education Scheme. In Monmouthshire, in a large part of the county, you find English-speaking people, and the bulk of the population far more resemble the English than the Welsh. It strikes me there is something behind this movement—some desire to increase the area of Wales, to grab an English county and make it appear, when any movement connected with the Church, for example, be brought forward, that there is a larger area in favour of that movement than there would otherwise be. More than that, it is well known

that Monmouth contains rich endowments, and, in fact, this is a case of land grabbing and money grabbing. And hon. Members ask why the Government have not ascertained the opinion of Monmouth, so that it would appear that the opinion of the people of Monmouth is yet to be discovered. Nothing that has been said with regard to the amalgamation of Monmouth with Wales would not equally apply to the County of Hereford. That county is also part of the Marches of Wales, just as Monmouthshire is, and I can recollect when there were on the Post Offices Welsh notices as well as English notices within a short distance of my own house. I venture humbly to submit to the House that it should support the proposition of the Government.

*Mr. OSBORNE MORGAN (Denbighshire, East): I was greatly surprised that the right hon. Gentleman opposite should have moved this Amendment without saying one single word on the subject. Surely we had a right to hear from the right hon. Gentleman the grounds on which we are asked to take this new departure on Welsh questions. I listened to the speech of the hon. Member who has just sat down, and it seemed to me he furnished the very strongest argument possible for not including the County of Hereford, because he says there is not a single person in Herefordshire who desires to be included.

Mr. RADCLIFFE COOKE: I said that, although it was a border county, none of the people desired to join Wales. The argument was the resemblance between the people.

*Mr. OSBORNE MORGAN: There are other adjoining counties besides his. Shropshire and Cheshire are adjoining counties, but those counties do not wish to be incorporated with Wales, and we have no desire to take them in. The case of Monmouthshire is entirely distinct from these cases. In the first place, two out of the three Members for Monmouthshire have already expressed their opinions on the subject, and I believe that one of them (Mr. Warmington) was returned by the largest majority recorded at the last election, with the single exception of that of my right hon. Friend the Member for Mid Lothian (Mr. Gladstone). Then you have the most representative body that can be found—the County Council of Monmouthshire—which, by a majority of no less than 24 to 4, has decided in favour of including Monmouthshire in the Bill. Now I think we have reason to complain that the right hon. Gentleman has not given us a longer opportunity of considering the Amendment. He has virtually put a new Bill on the Paper, and we were furnished with copies of that Bill only a few days ago, although the Second Reading was taken as far back as the 15th of May, and the Bill has been in Committee for nearly a month. On the ground of the general sentiment of Monmouthshire I ask the House to reject the Amendment, first, in the interests of Monmouthshire, and, secondly, in the interests of Wales. The whole endowments of Monmouthshire do not amount to more than £3,000—[*cries of* "Oh!"]—well, £3,700; they are, at any rate, under £4,000. Since the time of Henry V.—Harry of Monmouth, the first Welsh King of England—the county had been more Welsh than any of the border counties. It is Welsh in sentiment, Welsh in language, and all matters relating to education in the county are invariably dealt with as if it was a part of Wales. The principal scholarships at Jesus College, Oxford, are by statute restricted to candidates who are natives of Wales or Monmouthshire, or who are sons of persons who have been resident in Wales or Monmouthshire; and in the appointment of the recent Commission it was assumed, as a matter of course, that Monmouthshire was included in Wales. It is true there is an old statute of Henry VIII. which dissociates Monmouthshire from Wales, but we have learned by this time that it requires something more than an Act of Parliament to stamp out a nationality. The only Act which can be quoted against us is the Welsh Sunday Closing Act. The promoter of that measure was induced to leave out Monmouthshire, and we have regretted it ever since. But independently of the national ground, there is a further reason why Monmouthshire should be included in the Bill — namely, that the Bill is specially wanted for Monmouthshire. I observe that, with the exception of Glamorganshire and Durham, there is not a county in England and Wales whose population has increased so much as in the County of Monmouth. But

this increase has taken place in the mining districts; whereas the only portions of the county benefited by these endowments are the agricultural districts. Now we want the endowments to follow the population, and for that and many other reasons, which I have stated, we object to this Amendment.

COLONEL MORGAN (Monmouthshire, S.): I am very sorry to differ from my hon. Colleague in the representation of Monmouthshire, but I think I may claim to be pretty well acquainted with the wishes of the Monmouthshire people, especially of those of the Division I have the honour to represent. In Monmouthshire there are something like 28 endowments, and 19 of these are in the Division I represent. It is not unnatural, therefore, that my constituents should object to being included in this Act. Moreover, I never heard it proposed before now that Monmouthshire should be included. Certainly I never heard of the people of Monmouthshire asking to be included. [*Cries of* "Oh, oh!"] Hon. Members may cry "Oh, oh!" but I have lived on the borders of Monmouthshire all my life, and know as much, I should think, of the country as any else one. It has been said that the County Council have adopted a resolution in favour of the inclusion of the county. That resolution was adopted by 24 votes to four, but there are very nearly 60 members, and therefore the resolution does not amount to much. The resolution was introduced at a very extraordinary time, and when it was quite impossible for many members to be present. The right hon. Gentleman (Mr. O. Morgan) has said the endowments of Monmouthshire only amounted to £3,000. [Mr. O. MORGAN: £3,700]. As a matter of fact they now amount to £11,469. [Mr. O. MORGAN: I was speaking of educational endowments.] I know very well that in 1871 the endowments amounted to something like £4,000. [Mr. O. MORGAN: My observation was based on the Report of the Departmental Committee]. The county has a larger amount of endowments than the whole of Wales put together. As a Welshman, born and bred, I trust Monmouthshire will be exempted in this case as in other cases. We have never been included in any separate legislation, and the only reason for Monmouthshire being included in regard to education is that it is affiliated with the University College of South Wales.

*MR. KENYON (Denbigh, &c.): I wish to make a earnest appeal to Her Majesty's Government on this subject. I ask them not to wreck this measure on a matter which is really only one of detail. If the question of the inclusion or exclusion of Monmouthshire is a principal subject of difference between Gentlemen opposite and ourselves cannot we be content to postpone it until after the other clauses have been disposed of. Personally, I have no reason to doubt the equity of including Monmouthshire in the Act. The reference to the Departmental Commission included Monmouthshire, and the Report of that Commission included Monmouthshire. The Royal Charter, which incorporated the University of South Wales, included Monmouthshire. The question is one of national sentiment, and I earnestly hope the Government will give the fullest consideration to it, that they will not let their final decision be given upon it until they have fully ascertained the real wants and wishes of the Monmouthshire people and of the whole of the rest of the people of Wales. I have taken infinite pains and trouble to promote a settlement of the question, and I think not without some success. I have dealt with the matter in a conciliatory spirit, because I believe that if we are to have an Act of Parliament it must be one of compromise and conciliation. Gentlemen opposite have met us in an extremely handsome and conciliatory manner; let us meet them in a conciliatory spirit. Do not let us upon such a point as this wreck the Bill, which is regarded with so much favour by the people of Wales.

*SIR W. HART DYKE: In answer to the criticism of the right hon. Gentleman (Mr. O. Morgan) let me at the outset say I did not give my reasons for the Amendment when I moved it, because I have been more or less hurried in its preparation, and was anxious to hear the opinion of hon. Gentlemen from Wales. I am afraid I can give but cold comfort to hon. Gentlemen opposite with regard to the inclusion of Monmouthshire. Mention has been made of the reference to the Departmental Committee. It is as well the

matter should be cleared up. I find the first reference to the Committee did not include Monmouthshire, and I have here a letter which explains the whole matter. Sir Francis Sandford wrote:—

"In reply to a question put to the right hon. Gentleman the Member for Brightside Division as to whether the Vice President of the Council would be willing to include Monmouthshire in the scope of the inquiry, the hon. Gentleman stated that the proposal would be agreed to."

Therefore, we find that the inclusion of Monmouthshire was really an afterthought. Now the right hon. Gentleman the Member for Denbighshire (Mr. O. Morgan) has dealt rather hard measure out to me in regard to the introduction of the Amendments. The measure was considered before the Whitsuntide recess, and the framing of these Amendments really destroyed the pleasure of my holiday, but the result is the proposals which now appear on the Paper. Whether I have kept hon. Members waiting a long time or not, I think they will admit the Amendments deal fairly with a difficult and complex question. Now, I think this has been accurately described as a sentimental difficulty. The right hon. Gentleman opposite has repudiated the idea of there being any monetary question involved. Do hon. Gentlemen wish that the endowments of Monmouthshire should be taken from the people of that county and applied elsewhere? [*Cries of* "No."] I believe they do not, but that made the practical part of the inclusion of Monmouthshire a little more difficult. According to the last census, the population of Monmouthshire was 211,267, while that of the whole of Wales was 1,360,513, and the growth of the population in Monmouthshire is rather lessening that disparity. Therefore, at all events, we find an enormous and an increasing population in Monmouthshire with very considerable endowments to deal with. Since 1882 the proceedings of the Charity Commissioners in regard to Welsh endowments have practically ceased. In the last year or two they have recommenced. The Government propose to put this machinery into motion again for three years, and in doing this we wish to acknowledge that the Welsh people have been badly treated in the past by these endowments in comparison with the rest of England, and offer, if they will rate themselves to the extent of one halfpenny in the pound throughout Wales for three years, to meet that contribution from the Treasury by a precisely similar amount. Whereas the endowments of Wales and Monmouthshire together amount to £38,000 a year, those of Monmouthshire alone are nearly £12,000 a year, and this county could not, therefore, be regarded as in the same position as the poor counties of Wales. I hope that this Amendment will be accepted. However, I should like to hear more of the opinions of hon. Members in regard to this vexed question, for certainly no one would more sincerely regret than I would that this Bill should be wrecked on such a point as this.

MR. MUNDELLA: I confess I was never more surprised than when I saw the notice of the right hon. Gentleman on the Paper that Monmouthshire was to be separated from Wales for educational purposes. If anything could surprise me more it is the speech just delivered. In the Department over which the right hon. Gentleman presides, the Welsh domain includes Monmouthshire. The Chief Inspector of Wales has control over Monmouthshire. In all previous educational administrations Wales has included Monmouthshire, and the very Charter which the right hon. Gentleman has granted during the present year to the South Wales College includes Monmouthshire. If the right hon. Gentleman wants any better proof that Monmouthshire is always included in Wales, let him turn to the Report of the Schools Inquiry Committee. In every line and page of the Report of that most important Committee, Monmouthshire in mixed up with Wales. The Charity Commissioners have always included Monmouthshire in Wales. The right hon. Gentleman has said that the inclusion of Monmouthshire in the reference to the Departmental Committee was an afterthought. Immediately I came into office I was asked whether we included Monmouthshire in Wales. What was the answer of the Chief of the Department? "That goes without saying; Monmouthshire has always been included." I have never heard anything to the contrary, and how the right hon. Gentleman can take Mon-

mouthshire out of Wales I cannot understand. When the question arose as to where the South Wales College should be situated, the whole of the towns of Monmouthshire were in agitation upon it. The people of Monmouthshire, being an integral part of the Welsh population, wanted to have access to the Cardiff College. Reference has been made to the endowments of Monmouthshire. I find on referring to the digest of the aggregate endowments of England and Wales that the endowments are as follows: England, exclusive of Monmouthshire, £632,650 17s. 11d. per annum; North Wales, £5,843 5s. 4d; South Wales, £4,330 5s. 4d.; Monmouthshire, £4,057 16s. 1d. I should like to know how many of the Monmouthshire endowments are educational. We know that for the town of Monmouth there are abundant endowments, but that the county is as poverty stricken in educational matters as a county can be. I cannot understand why the Government should exclude Monmouthshire. The right hon. Gentleman says he has been hurried in preparing his Amendments. What have the Government been about ever since they have been in office? The right hon. Gentleman has promised again and again that the matter should be considered. This Bill was introduced during the first days of the Session, and four or five months afterwards the right hon. Gentleman comes down to the House and says he has been hurried in the preparation of his Amendments. I am bound to say the Welsh Members will not be true to themselves or to Monmouthshire if they do not stand by the inclusion of Monmouthshire in the Bill, for Monmouthshire requires this legislation as much as any other county in Wales. I trust that in such a paltry question as this—for it is not a matter of more than £1,000 a year—the Government will not persevere with their Amendment. We want a Welsh Intermediate Education Bill. I am anxious, by any reasonable compromise, to get such a Bill, and I entreat the First Lord of the Treasury to let us arrive at a settlement—a settlement based on reasonable lines, and one which will give satisfaction to the people of Wales.

*MR. W. H. SMITH: The Government have put these Amendments on the Paper with an earnest desire to make a good Bill of a measure which they could not accept in the form in which it was presented to the House. We desire to pass a measure which we believe will be acceptable to Wales and this country. At all events let us enter into the discussion of the Bill in the best temper, and with a desire to give credit to those who differ from us. These figures are given on the authority of the Charity Commissioners themselves. The right hon. Gentleman knows that the figures vary from day to day. But these are the authoritative figures of the Charity Commissioners relating to this current period, and from them we learn that there is at this moment an endowment of the value of £12,397 6s. 9d. available for educational purposes in the County of Monmouth, while the total endowment for Wales—or if it satisfies hon. Members thus to call it—the rest of Wales—is £25,567. The view of the Government was that this endowment of £12,397, properly and judiciously applied in the County of Monmouth, would prove sufficient, and that it would not be necessary to provide for a Parliamentary subsidy in addition. I have put these figures before the Committee with no desire to stop the discussion or to impute to hon. Gentlemen that they are wrong in their claim that Monmouth should be included in Wales, and we certainly are not anxious that either the Welsh or the English in that county should be excluded from the scope of the Bill.

MR. A. WILLIAMS (Glamorgan, S.): In the debate on the Second Reading we were all agreed in the desire to get a practical measure of intermediate education for the Welsh people. It is admitted that there is a sentimental feeling on the part of the people of Monmouth in favour of their county being included in the Bill, but the right hon. Gentleman now says—"We find there is a considerable endowment for educational purposes which has not hitherto been properly applied, and for reasons which we think sufficient we hold that Monmouth should not come under the Bill." He says this in spite of the resolution passed by the representative body in Monmouthshire, and notwithstanding the expressed opinion of the people that the county should be treated as a part of Wales; and he tells us that the Government take this course because they think

there is a sufficient endowment in Monmouthshire to render it unnecessary to apply the machinery of the Bill to it. In the name of common sense, is that any argument against the people of Monmouthshire being included in the management of the machinery created by the Bill? Now we want a proper scheme for the application of this endowment of £12,000; and if the Charity Commissioners do their duty they will see that one is forthcoming. I hope that I am not using language which is too warm, but I tell the Government that this proposal involves the breaking of a compact which has been entered into, and I appeal to them not to place *in limine* an obstacle in the way of this great measure, and so seriously harm a Bill intended to benefit the Municipality.

MR. T. E. ELLIS (Merionethshire): I desire to appeal to the Government not on the ground of nationality, but on the ground of precedent. The right hon. Gentleman the First Lord of the Treasury, and the right hon. Gentleman the President of the Council, on the Second Reading of this Bill, made serious objections to the measure proposed by the hon. Member for Montgomeryshire, and objected to the form of the National Board, but not one single word of objection did they raise to the exclusion of Monmouthshire. I am afraid that this is an afterthought on their part, due to the pressure brought to bear on them owing to the existence of one large charity in Monmouthshire. Now, this large and increasing charity —the Jones Charity — is, we are told, now under the consideration of the Charity Commissioners, who are on the point of issuing a new scheme for dealing with it. Why, Sir, that very fact removes from this controversy the only bone of contention. The argument of the First Lord of the Treasury is that in consequence of possessing this one endowment Monmouthshire is too rich a county to be aided by the county rate and the Imperial Exchequer. Yet this charity only amounts to £12,000 a year, and I will ask the House to look at what the charities in English counties amount to. In Norfolk the available charities amount to over £50,000; in Surrey they are over £70,000; and the charities available in the City of Coventry alone amount to £15,553. Now the amount of charitable endowment available for educating a quarter of a million of people in Monmouthshire is only £12,000, and surely that fact ought not to be deemed a sufficient excuse for excluding the county from the benefits of this Bill. If it is, then I am afraid that the County of Denbigh will also have to be excluded, for it is in even a more favourable position in regard to charitable endowments in proportion to population than Monmouthshire. Now in all previous educational schemes Monmouthshire has been treated as a part of Wales. The Court of Chancery in the years 1845-46 dealt with a certain number of endowments in Wales and certainly included Monmouthshire in the Principality. Then, again, the Schools Inquiry Commission which sat in 1867-68 appointed a special Commission for Wales and Monmouthshire, because, as they said, "they had always been placed together by the Registrar General and so treated by Government Departments," and when they came to make their Report they recommended that there should be provincial authorities in eight Divisions, and that the Welsh Division should include Monmouthshire. The Commission were simply acting on precedent set them by the Education Department, which had always treated Monmouthshire as a part of Wales. A Departmental Committee in 1880 did likewise, they inquired into certain matters in South Wales and Monmouthshire, and further every recommendation they made was a recommendation for Wales and Monmouthshire, and when the Government proceeded to act on the recommendations of that Committee they set up a college in Cardiff under a Royal Charter, which gave it the name of University College for South Wales and Monmouthshire. If any more practical argument be needed in order to show how in all educational matters Monmouthshire has been treated as a part of Wales, it is to be found in the remarks of the right hon. Gentleman the Member for the Brightside Division of Sheffield. The Education Department is not the only one which has included Monmouthshire in Wales for administrative purposes. The Registrar General includes that county, and all the other Government Departments have taken the same course. The Home Office, in

regard to mining regulations and other matters, includes Monmouthshire, and the same may be said of the Privy Council Office and the Local Government Board, the President of which latter Department I am glad to see in his place, the divisions made for Poor Law purposes between England and Wales including Monmouthshire in Wales. And in order to show how this arrangement has always been taken for granted, I may state that not merely has Monmouthshire always been so treated in Education Bills brought in by Liberal Members, but even the Bill brought in by the hon. Gentleman the Member for Denbighshire included Monmouthshire in Wales. If any further doubt could have remained as to the inclusion of Monmouthshire, surely it must have been dispelled by the fact that not only have all the other local bodies of Monmouthshire expressed a wish to be included in Wales, but the same desire has been evinced by the newly elected County Council, as representing the feelings and sentiments of the great body of the inhabitants of that county. When we find only four Members of this House inclined to vote for the exclusion of Monmouthshire from Wales, and that mainly on the ground of the one endowment—Jones' Charity—belonging to Monmouth, I think the last rag of doubt or suspicion as to the propriety of including that county has been disposed of. In conclusion, I would appeal to the right hon. Gentleman (Sir W. Hart Dyke), who is in charge of the Bill, and to his Colleagues on the Treasury Bench, each of whom when they go to their offices to-morrow will be called on to sign documents relating to Monmouthshire as included in the Principality of Wales, to allow this Amendment to be withdrawn.

MR. MUNDELLA: I wish to offer a word or two of explanation. When, some time ago, I stated that the endowments of Monmouthshire, at the time the Report to which reference has been made was presented, amounted to £4,000 a year, I was strictly accurate. Since then I believe the leasing of land belonging to Jones' Charity has considerably increased the amount. I want to know why Monmouthshire should not have the control of its own educational endowments in the same way as other parts of Wales?

*MR. SWETENHAM: I have approached this question with a perfectly open mind, and with the full intention of being guided in the vote I shall give by what I have heard *pro* and *con* in this debate; and I feel bound, at the outset, to say that having listened attentively to all that has been said both for and against the Amendment, I have deliberately come to the conclusion that this Amendment ought not to be adopted, and that, in point of fact, Monmouthshire ought to be included in Wales for the purposes of this Bill. I listened with great attention to what was said by the right hon. Gentleman the Vice President of the Council, and I thought in that one sense he made out a good argument, though, at the same time, it could not fail to be observed that it was the only argument used for the exclusion of Monmouthshire, and that was with reference to the fact that Monmouthshire has educational endowments to the extent of £12,000 a year. It is true that, in regard to the question of intermediate education, Wales is very poor in educational endowments, and therefore is deserving of exceptional treatment and ought to be helped in the matter by the Legislature; while, inasmuch as Monmouthshire has £12,000 a year in educational endowments, she does not require the same sort of treatment. That, as far as I could see, was the only argument the right hon. Gentleman was able to employ in favour of his proposal, and a powerful argument no doubt it was. But I ask, is that to be set against all other arguments which have been so forcibly used? Unquestionably Monmouthshire is, in point of law, an English county; but it cannot be denied that in sympathy she is closely connected with Wales. There are plenty of arguments to show that we should not be doing wrong in including Monmouthshire in the scope of this Bill. I listened to ascertain whether it was the wish of the people of Monmouthshire —because that was a point on which my own action very much depended— as put before this House by their Representatives that they should be included in Wales. The right hon. Gentleman on this side of the House has spoken against that inclusion, but

there was nothing in his speech which proved to me that the people of Monmouthshire generally did not desire the benefits proposed by the Bill. Whether the Committee was authorized to report specially on Monmouthshire or not I do not know, but we have before us the fact that the Departmental Committee have actually reported in favour of the inclusion of that county. Besides we have heard that there are a great many of the endowments which are practically outside the population, and one of the arguments against the Amendment is that whoever has the management of these endowments should be able to make them follow the population. If this Amendment be carried, they will not be able to benefit the people in the way they ought to be benefited. Monmouthshire is a county with great mineral products, and enlarged commercial prospects before it, and these things will undoubtedly bring about a large increase of population. It is only right and just that its educational endowments should be at once dealt with, so as to bring them within the reach of the poor people who ought to have the benefit of them; and this is one of the many reasons why I shall vote against the Amendment. But there is the additional argument that the County Council of Monmouthshire has by a large majority petitioned in favour of the inclusion of that county. The County Council represent the voice of the people in this matter, and it is by the voice of the people that the action of the Government ought to be guided. If we look at the large majority by which the County Council expressed its views on this question, I cannot but think that we have, in the vote they came to, a clear and distinct expression of the opinion of the county upon it. With regard to the endowments, I understand that, whether the Amendment is passed or not, they will not be taken out of the county, and this I regard as a sufficient answer to the position taken up by the supporters of the Government. I have never hitherto had the opportunity of saying a word on the question of intermediate education for Wales, and I now desire to state that there is no one, either in or out of this House, who more earnestly desire that a just and righteous measure in this direction should be passed by the British Legislature. I look on this Bill as an honest attempt on the part of the Government to try and meet the views of hon. Gentlemen on the other side of the House in regard to the matter. I trust that the Amendment will be withdrawn, and that the result of that withdrawal will be that we on this side of the House will be able to shake hands with hon. Members on that side, and put our heads together, in a really amicable manner, to try and get a sound and beneficial measure.

Mr. Swetenham

*Mr. STUART RENDEL (Montgomeryshire): I feel, after what has already passed, entitled to make an appeal to the right hon. Gentleman opposite to withdraw his Amendment. The right hon. Gentleman has used but one argument in its favour, and as yet he has found but one supporter, and that supporter is the Representative of a Metropolitan constituency—the hon. Gentleman the Member for West Newington (Mr. Cooke). The right hon. Gentleman stated that he had waited to hear the speeches of hon. Members for Wales and Monmouthshire before making any statement in support of the Amendment for the exclusion of Monmouthshire. Well, the right hon. Gentleman has now heard what hon. Members for Wales on both sides of the House have to say on the subject, and he will have discovered that, besides having only one argument in its favour, the Amendment has only one supporter. The argument in favour of the Bill as it stands, is that there is an unbroken tradition by which Monmouthshire has always been included in Wales for the purposes of education, as well as for all purposes of local administration, and it is, therefore, an innovation, and in breach of all precedent, for the Government to come forward and spring this Amendment upon us at the last moment. They have had ample expression of the opinions held by the Members for Wales on this subject, and they must have seen that there is not a single Welsh representative who is in favour of the exclusion of Monmouthshire from Wales, except, indeed, the hon. and gallant Member for Mon-

mouthshire, who frankly admitted that he was influenced mainly by the desire to keep for his portion of the county the whole of its endowment, whereas under the Bill as it stands the endowments of Monmouthshire would be applicable for the benefit of any part of Monmouthshire. If any concession is to be made on this point, I put it to the Committee which side ought to give way. Is it to be the side which desires to follow the unbroken line of precedent to commit themselves to a course contrary to all previous practice; or is it to be the side which is breaking all precedent; is it to be those who are supported by all the Members from Wales but are without distinction of party, or by the Government, who on this question have no supporter behind them except an hon. Member for a Metropolitan constituency? I earnestly urge the Government to give evidence at once of their real desire to give Wales and Monmouthshire the boon which they have held out to a long expecting people, before whom it has been so invitingly dangled, let us hope not at the last moment to be withheld. I do most sincerely trust that the Government will give evidence of their goodwill and good faith towards the Welsh people by withdrawing this Amendment.

MR. A. THOMAS (Glamorganshire, E.): I also hope the Government will be induced to give way on this matter to the representations that have been so strongly urged by the whole of the Welsh Members who have spoken in this debate, and I may add that the constituency I represent would feel themselves slighted, if not insulted, if Monmouthshire is to be excluded from this measure. With regard to the endowments to which the right hon. Gentleman has referred, I have already stated at a public meeting on the subject of Welsh education that I would never be a party to the withdrawal of those endowments from the localities for which they were intended. I fully sympathise with the right hon. Gentleman on that point, but at the same time I trust that the endowments may be made more completely to meet the wants of the population.

SIR HUSSEY VIVIAN (Swansea): I would also urge on the right hon. Gentleman the desirability of agreeing to the inclusion of Monmouthshire in this Bill. I have listened to everything which has been said by my right hon. Friend, by the Leader of the House, and by the only two supporters which the Government have had on their own side of the House, and I have heard no argument whatever in support of the Amendment, but that Monmouthshire is pretty well endowed with regard to education, and therefore ought not to be included. Almost every speech that has been made in this debate has shown that the people of Monmouthshire do desire to be included, and we have had put before us the strong fact that the great majority of the Monmouthshire County Council, who have recently come into being direct from the ratepayers, have passed a resolution—the numbers being six to one—in favour of the inclusion of that county in the measure. I put it to the Committee, is it not a solid and cogent argument in favour of such inclusion that the people of Monmouthshire, which is essentially a Welsh county, desire to participate in the advantages of this Bill. Supposing the right hon. Gentleman had been able to say that six to one of the people of Monmouthshire desired to be excluded from the Bill, we should have been bound to admit that our case was a bad one; but when it is the very reverse of that surely the argument is a strong one. It has been sought to set up the fact that there is a portion of Monmouthshire which is English. That is so; but by far the larger part of the county, and especially that portion the population of which is most rapidly increasing, is essentially Welsh. South Monmouthshire may be more or less English, but the whole of the mountain district is as entirely Welsh as any part of Wales. It is said Monmouthshire has considerable endowments, but we

have heard from the hon. and gallant Member for South Monmouthshire (Colonel Morgan) that these endowments are chiefly in his own district, and that he opposes being included in the Bill because he is afraid of the endowments being taken away from that district. But is this so? Will those endowments, by a scheme of the Charity Commissioners or the Court of Chancery, be applied for the benefit of the people of Monmouthshire generally? Our desire is that these endowments, which are said to be worth £12,000 a year, should be applied to the population of the county generally, but we have no desire that they should be extended to any other part of Wales. This is all we ask. Is it an unreasonable thing? An hon. Gentleman who, I am told, lives near Herefordshire, but represents a metropolitan constituency, has spoken of this Bill as a "land-grabbing" measure. I entirely dissent to that, and object to any such stigma. We have no desire to take the endowments out of Monmouthshire; all we desire is that the people of that county should have the use of them. I do most earnestly appeal to the right hon. Gentleman not to press this Amendment against the very strong feeling which exists among the Welsh people on this subject. Why should this lion meet us in the way? Why, at the very first step in Committee on this Bill, should we have this Amendment forced upon us? Surely the right hon. Gentleman might accept the opinions of the Welsh Members on this subject. They know and represent the feeling of Wales on this subject. What, I would ask, is behind the right hon. Gentleman? What is the real object with which he forces this Amendment on the Committee? Is it possible that there is any desire to stop this Bill *in limine?* Can that be the reason for the introduction of this Amendment? I would earnestly implore the right hon. Gentleman not to insist on so small a thing as this—small from his point of view, but of the greatest importance to the people of Wales, who will not desert their countrymen in Monmouthshire, whom they know to be the same people with the same feelings as themselves. Why should they be placed by the Government in this undesirable position?

Sir Hussey Vivian

It being half-past Five of the clock, the Chairman left the Chair to make his Report to the House.

Committee also report Progress; to sit again upon Wednesday next.

MR. SPEAKER, in pursuance of the Order of the House this day, called on the Clerk to read the Order for the Committee on the Coal Duties (London) Abolition Bill.

COAL DUTIES (LONDON) ABOLITION (RE-COMMITTED) BILL (No. 5).

Considered in Committee.

(In the Committee.)

Clause 1.

*MR. PICKERSGILL (Bethnal Green, S.W.): I beg leave to move to omit the words inserted by the Select Committee to which the Bill was referred, allowing the Corporation of London to impose a duty of 4d. a ton on coal for one year from Friday next, to be applied in discharge of the debt on the Holborn Valley improvements. I will not refer to the composition of the Committee except so far as to say that the Government, whenever they have a little intrigue on hand, are exceedingly fortunate in securing the services of a right hon. Gentleman on the opposition side as an ornamental figurehead. The Bill is entitled a "Coal Duties Abolition Bill"; but the words I propose to strike out convert it into a Coal Duties Continuance Bill. Nothing can possibly be more illogical and absurd than the position which the Committee have taken up, because what they in effect propose to enact is this—that the Metropolitan Coal Duties shall be abolished, provided that a material part of those duties be continued. Now, we are in a difficulty in discussing the question owing to the fact that the Committee have not thought proper to make any Report whatever of the evidence placed before them; but from the fact that the Committee have not made a Report, I draw the inference that they have not pursued the instruc-

tions given to them by the House. In the first place, they were empowered by the House to consider what will be the legal position in regard to the exaction and duties by the London Corporation on Friday next. So far as we know they have not considered that question; at all events, they have not thought proper to put us in possession of what their opinion is with regard to the strictly legal position of the Corporation. In the second place, they were empowered to consider the manner in which the proceeds of the 4d. Duty have been expended. I wish to know whether the Committee have taken any effectual steps to inquire into the manner in which the money derived from the Coal Duties has been expended. I venture to think that a very careful scrutiny into this subject was required, because when the Coal Dues Bill was before the House in 1868 it was proposed that the accounts affecting these duties should be in the hands of a public officer. Lord John Manners, who was then in charge of the Bill, originally consented to the appointment of such an officer to audit the accounts; but he subsequently stated that when he consented so to do he was not aware of the objections entertained by the City Authorities, and, as a matter of fact these accounts have not been audited by a public officer. The third instruction given by the House to the Committee was to ascertain the amount of the debt remaining on the Holborn Valley Improvement. Well, I ask whether effectual steps have been taken to ascertain with precision what the amount of the debt really is? There has been some looseness on the part of the Committee, at least in one respect. I understand in one part of the accounts which were submitted to this Committee there was an item giving the value of the land at present in hand held by the Corporation, and the point to which I wish to draw the attention of this Committee is that the valuation was made by the City architect and not by an independent valuator. I do think that in a case of this kind where the amount of the debt is the essence of the question an independent valuation ought to be made. The House is absolutely ignorant of the reasons which have actuated the Committee, who have followed the advice of the wary Judge who said that one should never give reasons for a judgment. I protest, in the interests of Greater London, against the continuance of this tax, and hope the miners of Durham and Yorkshire will take note of the fact that the hon. Baronet the Member for Barnard Castle (Sir J. Pease), who is supposed to watch over the interests of the coal miners of the North, is going into the Lobby in order to tax coal which, but for the officious intervention of the hon. Baronet, might have been brought free and untaxed into London from Friday next.

Amendment proposed, Clause 1, page 8, line 15, to leave out the words after the word "conveyance" to the end of Clause.—(*Mr. Pickersgill.*)

Question proposed "That the words proposed to be left out stand part of the Clause."

*MR. LAWSON (St. Pancras, W.): For my part I do not wish this discussion to be exhaustively or unnecessarily prolonged, but the Government can hardly expect that Metropolitan Members will allow the Bill in its present form to pass without protest and opposition. I agree with my hon. Friend that the Committee has entirely changed the character of the measure by turning it from a Bill for the abolition into a Bill for the renewal of the Coal Dues. Those who have less trust than I have in the absolute integrity and sincerity of the hon. Baronet the Member for Barnard Castle may have imagined that he brings the Bill forward collusively in the interest of the City, otherwise the City would have had no chance of raising the question which has been tried before the Committee, and in consequence of which a certain amount of compensation has been allotted to them. What is now proposed is that a new tax shall be levied on the whole of London in order to indemnify the City for a debt, in the contraction of which the inhabitants of Greater London have had no voice, and over the discharge of which they will have

not the slightest control. The City came before the Committee upstairs, and, in the first place, tried to prove that they still owe a large debt in respect of the Holborn Valley improvements, placing before them a statement of accounts. No one denies that the Bills of 1864 and 1867, enabled the City to carry out what is undoubtedly a Metropolitan improvement, but no debt accrues on this expenditure. They got a third Act to complete the scheme, and took land, involving a large stretch of valuable frontage, which was not needed for the purposes of the Holborn Viaduct, and then they place before us a statement of accounts. We have no means of knowing whether the sum set down as representing the present value of the land unsold at date is correct. I submit that it was not a right thing for the Committee to accept the City's estimate of its position without further investigation, and now the City comes and asks for a compassionate allowance in order to enable them to discharge their debts contracted to the bondholders who took up their securities. The debt in connection with the Holborn improvements, was contracted first of all upon the security of the Statutory Coal Dues which expire on the 5th inst., and ultimately upon the general estates and revenues of the Corporation amongst which are any prescriptive rights to which the City may lay claim. Therefore, the important point which the Committee had to consider, and which I submit they decided against the City, was—What is the value of those prescriptive rights ? The City rights are practically worthless, If the Corporation contest them in a Court of Law it is more than doubtful whether they will be established. The difficulties of collecting the dues in virtue of charter would be immense. They only extend to sea-borne coal, and the whole trade would be transferred to the railways on account of the keen and equal competition. The City Chamberlain, examined before a Committee in 1861, as to the Acts under which the City levy a duty of 1s. 3d. per ton on coal coming into London by certain lines of railway, stated that these rights were repealed by implication by the General Act of 1845. In regard to six railways the City makes no claim, and among these are the Great Northern and the Midland, which bring into London half the amount consumed. Even if we grant to the City the whole of that which they claim, and give them the right to levy a duty on sea-borne coal, I do not suppose it would bring them in more than £10,000 or £12,000 a year. The last time they exercised the right was in 1829, when they only got £15,000; and in order to compensate them for the abolition of that right, you are now going to give them what they calculate at £150,000, being the proceeds of the duty for next year. I trust the Committee will take the view that it is a most unjust thing that the whole of London should be called upon to contribute towards the liquidation of this City debt. We made an offer to the City, and I think it should have been accepted. There is, in the hands of the City, £60,000, being the surplus of the drawback for coal brought into London for re-exportation. We should have admitted their claim to that, and should have been prepared to give them the £100,000 outstanding in the account of the Kew Bridges Joint Committee, but they were not satisfied. In order to make up for waste and extravagance they asked to be allowed to levy this tax for two years over the whole of the Metropolitan Police area, although the people of that area had nothing to say from beginning to end about the construction of the Holborn Viaduct or the carrying out of the other works. I do trust that the House will reverse the decision of the Committee upstairs. Of course, it is very unfortunate that we have not the evidence before us. Most valuable evidence was given before the Committee by Mr. Boulton, on behalf of the London Chamber of Commerce, in opposition to the renewal of the duty. The City, according to the account of the Chamberlain, is not in a bad financial position. He said the City's finance was perfectly

sound, that the City credit was good, and that its estates were solvent. If so, I think it is rather beneath the dignity of the City to come here *in formâ pauperis* to ask for a compassionate allowance to enable it to meet its liabilities. The Bill is so changed that I consider that those who voted for the Second Reading will be fully entitled to oppose it now.

MR. BAUMANN (Camberwell, Peckham): As a Metropolitan Member, I support this clause as amended, although I moved an Amendment to the Second Reading of the Bill. I should like to explain to the Committee what I take to be the situation. There is an outstanding debt on the Holborn improvement of £744,000. The Corporation ask that the Metropolis should take a moiety of that debt, £372,000, upon its shoulders. From that moiety of £372,000 the Corporation offer to deduct £160,000—£100,000 being the surplus after freeing the bridges, and £60,000 being the surplus in the hands of the Corporation from the drawback, thus leaving £212,000, which the Corporation regard as the share of the liability in the Holborn Valley improvement which the Metropolis should bear. One year's Coal Duty at 4d. produces £143,000; and so the Committee, in amending this clause, grant the Corporation half their demand, which I think is a very reasonable compromise, indeed. The Corporation of London have certain prescriptive charter rights to levy duties on coal, and that those rights were confirmed by the Statute of William and Mary, recognized by the Statutes of William IV. and the present reign, cannot be denied by any sane or reasonable man. Whether the ancient rights to levy a duty on sea-borne coal were extended to railway-borne coal by the modern Statutes is, I think, a very nice question in Statute Law. The money value of these rights is therefore difficult to appraise; but that they have some money value is proved by the evidence of the Registrar of the Coal Market, who told the Committee that the nett produce of the 4d. duty on sea-borne coal was £50,000 a year. But the first question to consider is this—Is Parliament prepared to destroy the ancient charter rights of the Corporation to receive an income by way of a rate or duty without any compensation? I submit that such a course on the part of Parliament would be entirely without precedent. The precedents are the other way. When the Tin Dues in Cornwall were abolished, Parliament met the case by a grant, and when the church rates, which were mortgaged, were summarily swept away, Parliament granted a temporary continuance of them. Then there is the case of the Holborn Valley bondholders. Ought we in equity to grant any continuance of these duties for the sake of those who lent their money for the Holborn Valley improvements? On the face of the Holborn Valley debentures there is printed the title of the Act, by means of which the money was raised; and I do not think any one who bought those debentures knew anything about the ancient prescriptive rights of the City. The people who bought these bonds knew, probably, that the City had a right to levy a duty on coal at that time and for sometime afterwards, and they also knew that the money was borrowed with the sanction of Parliament; but I do not believe that they took any trouble to inform themselves when the statutory powers came to an end or what prospect there was of a renewal of them. I do not think that the case of the bondholders is at all strong, but far stronger than it, and far stronger than the claim under the charters and under the prescriptive rights, is the fact that the debt was contracted for carrying out Metropolitan improvements, and therefore it would be most unfair and inequitable to throw the whole burden of those improvements on the shoulders of the Corporation of the City of London. There is a debt of £750,000 contracted for improvements such as the Holborn Valley Viaduct, and surely it would be unfair to make the City Corporation bear the whole of that. It is sometimes complained that more was spent on these works than was originally sanctioned; but those who have had to do with builders and architects know

that estimates are always exceeded, and therefore I say that it would be monstrously unfair to call upon the Corporation to pay the whole of the debt, especially as the City has had to pay its share towards the liquidation of the debt of the Metropolitan Board of Works. I say that the City Corporation has an equitable claim on the rest of London to bear its share of the cost of these improvements. I say that as a Metropolitan Member, though, of course, if the Metropolis were to repudiate its liabilities it would be a pecuniary gainer. I have no interest in pressing the claims of the City. I have no connection with the City. It has been suggested in a Radical organ that I am under some mysterious obligation to the City. Sir, I owe nothing to the City except a sick-headache, after dining with the Lord Mayor some years ago. But I have a prejudice in favour of people paying their share of a Bill in incurring which they took a part. I protest against the way in which certain hon. Members of this House speak of the City Corporation as if it were a kind of "Long Firm." What has the Corporation of the City ever done that it should be treated like a delinquent in the dock—to be denied the ordinary amenities, the customary equities, of civilized life? I am quite sure that the ratepayers and artizans of London are willing to discharge their share of the liabilities which have been incurred for public improvements, by means of a fourpenny Coal Duty for one year. I believe that they would rather do that than pay an increased rate; and, for the reasons which I have given, I beg to support the Clause as it stands.

*Mr. FIRTH (Dundee): I think the situation is much more serious than either the Government or hon. Members who support this Bill seem at present to think, and if the Bill is passed in its present form, it will have far reaching effects in a direction which has not yet been thought of. We do not want this Bill. Let it be dropped, and if it is dropped, all question about repudiation of liability—and these are scarcely proper terms to use—will come to an end. There is no repudiation of liability if we drop the Bill, and whatever liabilities may arise will, in that case—if they can—be enforced. Now, Sir, the situation may be understood by the simple statement that the House is, by passing this Bill, imposing a tax upon the ratepayers, which otherwise they would not be called upon to pay. There are equities on both sides, and the representative body of London, I am sure, would be both willing and anxious to do absolute justice in regard to this and any other matter arising between the Corporation of London and other public bodies or private individuals. They represent an enormous area of coal consumers, and it is their duty to see that no tax is imposed upon those consumers, and that no burden is placed upon their shoulders except that for which they are legally and equitably liable. But my contention is that in this case there is neither legal nor equitable liability. The claim put forward by the City is in a very shadowy form—a form which has exhausted all the eloquence of the hon. Members who have spoken in favour of it to support. The hon. Member who last spoke is now in favour of it, although on a previous occasion he was very strongly opposed to it. How long since is it that we have had the spectacle of the kind in this House? How long is it since a Member who strongly and vehemently opposed a Bill, shortly afterwards was transformed into one of its most urgent supporters. In whose interests is the Bill introduced? We know something about that now. It is introduced solely in the interests of the sea-borne coal-owners of the North of England. It was introduced in their interests simply because they feared that they would suffer—and only in a fragmentary degree—by the dues taking an ordinary course. And since then the City has put in a claim for £475,000 for the abolition of these shadowy rights. Now, the importation of coal into London from all sources last year was about 12,000,000 tons. Of that quantity, 7,400,000 tons, or more than one-half, came by the Midland and Great Nor-

thern Railway Companies, whom, it is admitted, the City cannot tax. And, moreover, it cannot be denied that those companies would, if necessary, bring all the coal into London that is required, for they tap the great Midland and Northern coal districts. Now, the claim of the City to tax the coal brought in by other companies is also a very shawdowy claim; and, therefore, my first point is this: we could absolutely have a full supply of untaxed coal brought into London by these lines on and after Friday next. And yet it is now proposed by this Bill to put a tax on this coal. You say you put it on because of the City debts, but why should you not equally well tax us one shilling in the £ in order to pay off those debts? I say that if coal can come into the Metropolis free of this duty by these railways, it is a very serious step which you are taking in proposing to sanction the continuance of these duties. It is suggested that if this arrangement is not accepted, it may lead to serious litigation; but are the people of London to be taxed on that account? If there is serious litigation, it will be between the Corporation and the railway companies, and that is a matter for them to decide between themselves, and not for the ratepayers of London generally to have to decide. The only liability for which the enormous compensation claimed by to have the chartered rights of 8d. and 4d. enforced against them. Now, I have taken the trouble to examine into this matter very carefully, and the first point which arises in my mind is, what are these prescriptive and chartered rights? There is the chartered right to weigh at 8d., and the prescriptive right to measure at 4d. The City cannot touch the 8d., because they cannot by any possibility weigh the coal which is brought into London. The 4d. depends upon old prescription, the existence of which I do not deny, and which goes back as far as the reign of Henry V., though the amount is not specified. The late Mr. Ayrton, who knew more about this question than almost anybody else, doubted the existence in these days of the prescriptive right of 4d. The right itself depended upon the measuring of the coal, which the City Chamberlain himself admits to be impracticable, and the claim has never been established in a Court of Law. Besides which the measuring of coal is illegal by statute, and even assuming the City to be right in its contention, what is the value of its right to this 4d. under the circumstances? That value can only be ascertained by calculating how much of the total amount of coal coming into the Metropolis comes by the railways. There is certainly no justification to pay a tax of £475,000 in compensation for a duty which in 1829 was worth only £15,096. The calculation would have to be made in assessing the amount of compensation, how much of the coal which now comes by sea could be brought by railway. And now comes the question of the City and Holborn Valley debt. Repudiation seems to be a word which comes readily to the lips of hon. Members opposite, but as I said before, if you drop the Bill, there is no necessity whatever for suggesting anything about repudiation. But with respect to the Holborn Valley debt, it is said that it was incurred by the City on the faith of this existing inherent right. Was it? I will give the Committee the facts. The first charge in connection with this Holborn Valley debt was upon the 4d. Statutory Duty which is gone. The second was upon the estates and revenues of the Corporation. It has been suggested that this included the fourpenny duty, but that argument is absolutely inadmissible, and would apply equally to market bonds and Tower Bridge bonds. Then the question would have to be considered, how far the Holborn Valley, and other improvements, were Metropolitan improvements. No doubt some of the Holborn Valley improvements were Metropolitan, although for their own purposes the City kept them in their own hands. There can be no doubt that the Tower Bridge was a Metropolitan improvement, but the City took upon itself the cost of that bridge, because they wanted to have it under their own control. And surely they are not entitled to come now and ask us to to pay the cost. The next point which arises is in reference to the Kew Bridge Bill. According to this Bill, the Kew Bridge Committee are to pay over £100,000 to the City, which, it was fondly hoped, would have been distributed ratably among the London

people. It was understood that the Coal Dues would absolutely expire in 1888. I have been so informed by Mr. Ayrton, and his view is confirmed by the fact that in 1869 an Act was passed extending them for one year, and that Act is important in corroborating Mr. Ayrton's statement. But now the City not only wish to take the £100,000 in respect of Kew Bridge, but they also want a share of the eightpenny and penny duties which were allocated to London generally, as well as the fourpenny duty. I venture to say there is neither law nor equity in the claim of the Corporation. I am dealing with the matter purely on its merits, and not from a political point of view. From a political point of view I could imagine nothing better but that this Bill should be forced through the House. I can only say that it looks very much like taxation at the point of the bayonet, and unless this clause is omitted, I think the Bill ought to be rejected altogether, and sent to that limbo from which, it is to be regretted, that it ever emerged.

*Sir LYON PLAYFAIR (Leeds, S.): I wish to draw the attention of the House to the exact state of the case. The hon. Member says this Bill has been altered without warranty by the Hybrid Committee to which it was referred and of which I was Chairman. But that Committee was instructed to consider, first, the Corporation debts still due in respect of the Holborn Valley improvements; and, secondly, what provision should be made in the Bill in respect of such debts. What the Committee has done in altering the Bill was done under the latter instruction. The hon. Member for Bethnal Green spoke of me as the ornamental head of the Committee. I do not know exactly what he meant by that. I went into the Committee with a perfectly blank mind on the subject. I knew absolutely nothing about the Coal Duties, and I never had been interested in them, and I must say that every member of the Committee worked in the fairest and most assiduous manner; they worked hard, and they, with one dissentient only, came to the conclusion embodied in the Bill. With that one exception all the members of the Committee were in favour of the Bill as now presented to the House.

*Mr. LAWSON: I hope the right hon. Gentleman will excuse the interruption; but the hon. Baronet opposite (Sir R. Temple), and the hon. Member for Peckham, proposed an alternative scheme which was not accepted.

*Sir LYON PLAYFAIR: Yes; the two hon. Members named wanted two years' compensation; but they entirely agreed with the Bill when the vote was taken, and it was decided that there should be a continuance of the dues for one year only. I do not now propose to go over the ground which has already been traversed. The Committee examined into the ancient prescriptive rights and saw the original charters, and came to the conclusion that so far as we could without the matter being decided by a Court of Law that there were ancient charter rights which might have survived, and which, indeed, the City claimed to be prepared to substantiate in a Court of Law, if the right were not, as proposed to be done by this Bill, swept away. One of those rights was the taxing of all coal coming into London, except by the Great Northern and Midland Railways. I do not intend to express any opinion as to the validity of those rights. I would prefer to leave that to a Court of Law; but I should like to explain in what position we are. The first statute that gave this right of taxation on coal was the Act of William and Mary, which provided that the produce of the tax should be applied to a specific purpose, and should be levied only for a specific time. Other Acts followed which continued the tax for other specific purposes and specific times, and then came the Holborn Valley Acts—three in number—which gave the Corporation power to borrow certain sums mentioned in the Act, and the Corporation, in virtue of such power, did borrow, but not to the full extent permitted. For instance, one of their Bills gave power to borrow £99,000, whereas the Corporation has,

as a fact, only borrowed £15,000? Therefore they have not exceeded their statutory rights of borrowing for these Metropolitan improvements. The public lent the money upon three certain securities, and on one of a doubtful nature, to which probably they did not give much consideration. The first of these securities was the fourpenny rate up to the 5th of July in this year; the second was the general property of the City; and the third the charter or prescriptive rights of the Corporation to tax coal. The doubtful security was the hope that Parliament would continue the tax as it had done in many successive Acts since the first Act of William and Mary. Under these Acts the Corporation borrowed £1,715,000, and of this £744,000 is still owing; and the question submitted to the Hybrid Committee was whether there was any equitable claim for relief in respect of this large sum? The City made a proposal which the majority of the Committee considered a generous one. They said that as this was primarily a great City improvement they would not ask that the whole of this sum should be provided; but that Parliament, which encouraged them to enter upon this large expenditure, might well be asked for half this sum—namely, £372,000. The Committee did not see their way to accept this proposal, but they endeavoured to see whether there was any way of providing some assistance without imposing taxation; and they found that there was the sum of £100,000 under the Kew Bridge Act, which was claimed by the Corporation, but which was really at the disposal of Parliament as provided by the Act. The Corporation certainly claimed this £100,000 as their property; but, as a fact, neither the City nor the London County Council had any right to deal with it, because the Act specifically says that any surplus arising under the Kew Bridges Act shall be disposed of by Parliament as it chooses. We thought it only fair that this £100,000 should be utilised in the way proposed in the Bill. There was also £60,000 available in respect of the penny drawback. This undoubtedly belonged to the Corporation; but they were quite willing that it should be included in the arrangement. That makes altogether £160,000 obtainable without any taxation. How, then, was the remainder to be provided? The Committee decided to allow the continuance of the 4d. tax for one year, which was calculated to produce £143,000. I, however, estimate that in the current year it will produce between £150,000 and £160,000; at any rate, taking the City estimate of £143,000, we get £303,000 provided, and I must say I look upon the proposal embodied in the Bill as a very moderate one. I do not know of any case in which, on the compulsory abolition of rights and duties, compensation has been refused. When the church rates were abolished they were, in certain cases, allowed to be continued until debts and mortgages raised on the security of them had been paid off. I repeat, I look on this as a very moderate proposal. The Committee have taken advantage of a sum of £160,000 over which Parliament had control, and they only recommend that the duties should be continued for one year at 4d. We think that this is an equitable and fair arrangement, seeing that the City is quite willing, from its own resources, to discharge the remainder of the debts incurred for these public improvements. I therefore hope that the Committee will accept the recommendation embodied in the Bill.

MR. JAMES ROWLANDS (Finsbury, East): I have listened with very great care to the statement of the right hon. Gentleman the Member for Leeds, in order to see if he would lay before the Committee any proof that the City has made out something like an equitable claim. But instead of doing that, he very carefully told us the nature of the decision at which the Committee arrived, and he did not give us any evidence whatever of an equitable claim having been established by the City. I say that the right hon. Gentleman failed to traverse the able and learned speech delivered by the hon. Member for Dundee, who, as we know, is thoroughly conversant with this question. The statement of the hon. and learned Member for Dundee remains, in fact, unanswered,

and nothing has been said which in any way controverts the strong and logical position which he has taken up in this House upon this question. The right hon. Gentleman the Member for Leeds said there were three claims put forward as to the security of the bondholders in relation to the Holborn Valley Improvement. But I venture to say that what he suggested was completely at variance with the provisions of the Holborn Valley Improvement Acts. Section 40 clearly explains what was the security given to the persons who lent money for the Holborn Valley Improvement, and that security was undoubtedly based on the credit of the fourpenny duty, which expires on the 5th of this month, and on the credit also of the revenues of the Mayor, Aldermen, Commonalty and the City of London. But as to any other security, it was never dreamt of. I think it was most unfortunate that the Committee should have been asked to do its work in a hurry, for no one who has yet spoken on this question has been able to show that the demands of the City are in any way legitimate. I think the best proof that the City Corporation has no case is to be found in the readiness which they have shown in accepting the reduced terms now proposed to be conceded to them by the Select Committee. If they had had a strong case they certainly would not have been prepared to accept such terms. We are told that we are fighting against an equitable compromise; but what was the action of the City? They wanted just double what they are going to get. And now I wish to say a word with regard to the surpluses. Surely the City has no claim whatever to have these surpluses handed over to them as proposed in the Bill. It has been pointed out by the right hon. Gentleman the Member for Leeds that Parliament alone has control over these surpluses; but the Committee has proposed to hand them over to the City, and I wish to know what special claim the inhabitants of the City have to this money as compared with the claim of Greater London? We strongly protest against the way in which this matter has been hurried through. We fear that some of our friends, like the right hon. Gentleman the Member for Leeds, who went into this case, have not had time to deliberately examine it; and we wish to know why the inhabitants of Greater London should be taxed in order to help the City pay its debts—debts which it could have paid long ago if it had chosen. Remember that Greater London is, at the present time, more heavily rated than the City. I will not take up much more of the time of the House; but I may say that I am fully prepared to go into the Lobby and let the people of London judge who are best looking after their interests. I hold no brief for the City of London. I have resisted their mild invitations, and I leave it to the people of London, when they are paying the tax, to judge who in this House have their interests at heart. There are some Members in this House who represent constituencies far from London; but there are others who represent places nearer home, and I hope that they will hear a good deal about this Coal Tax before the next General Election. I am prepared to say that no case has been made out for the City of London for a continuance for 12 months of this tax on coal, and neither has any claim been made out for handing over to them the surplus, which belongs legitimately to the people of the whole of London.

The Committee divided:—Ayes 138; Noes 82.—(Div. List, No. 173.)

Bill reported, without Amendment.

SIR J. PEASE: I think the House will consent to the Bill being now read a third time. [*Cries of* "No."]

MR. SPEAKER: It must be postponed till another day.

Bill to be read the third time tomorrow.

It being after Six of the clock, Mr. Speaker adjourned the House without Question put.

House adjourned at ten minutes after Seven o'clock.

HANSARD'S PARLIAMENTARY DEBATES.

No. 14.] FIFTH VOLUME OF SESSION 1889. [JULY 12.

HOUSE OF LORDS,

Thursday, 4th July, 1889.

INDECENT ADVERTISEMENTS BILL. (No. 34.)

Returned from the Commons agreed to, with an Amendment.

TRUST COMPANIES BILL. (No. 10.)

Reported from the Standing Committee for Bills relating to Law, &c., with Amendments: The Report thereof received; and Bill re-committed to a Committee of the Whole House.

PASSENGERS ACTS AMENDMENT BILL. (No. 100.)

Reported from the Standing Committee for General Bills, without Amendment; and re-committed to a Committee of the Whole House To-morrow.

SMALL DEBTS (SCOTLAND) BILL.

Read 1ª, and to be printed. (No. 136.)

MESSAGES FROM THE QUEEN.

QUESTIONS—OBSERVATIONS.

EARL GRANVILLE: I wish to ask a question of the noble Marquess of which I have give him private notice. We have all individually learnt the approaching marriage of the Princess Louise, the eldest daughter of the Prince and Princess of Wales, with a Member of your Lordships' House. The intimation has been received with even unusual interest; and I venture to say that in no place is there a warmer sympathy felt with any event likely to increase the happiness and add to the comfort of the Queen and of Her Majesty's Family than in this House. But, strange to say, for the first time on such an occasion, the House of Lords collectively has been entirely ignored, and no sort of official intimation of the happy event has been vouchsafed to us as a body. If I remember rightly, the Duke of Albany's marriage was announced to both Houses in the Queen's Speech, and both Houses had an opportunity in the Debate on the Address and in the Address itself to express their loyal satisfaction. Subsequently a Royal Message was addressed to both Houses on the same day, which referred to the marriage and asked the two Houses to make due provision. On the Duke of Connaught's marriage, Royal Messages announcing the fact and asking for due provision were delivered on the same day to both Houses. The day before yesterday such a Message was given to the House of Commons, and to-day both sides of that Assembly have an opportunity, which has not been afforded to us, of expressing their feelings on this occasion. I believe that the omission is entirely without precedent. If the departure from precedent were intentional, such a want of respect to the Crown and to this branch of the Legislature would require serious consideration on our part. But I am perfectly certain that such is not the case, and that the omission has arisen from regrettable inadvertence, in which case the Prime Minister will probably be glad of an opportunity to make an explanation to that effect.

THE PRIME MINISTER AND SECRETARY OF STATE FOR FOREIGN AFFAIRS (The Marquess of SALISBURY): The noble Earl has entirely

crushed me with precedent; and I have at once to acknowledge that the precedents are entirely on the side of the noble Earl. There ought to have been an announcement to this House on Tuesday evening. I can only say, as was said on a more important occasion, "some one has blundered." I did not know that the Messages would be sent down to London until I got to Windsor in the middle of the day on Tuesday. As the special train was timed to arrive I should have been in time to bring them before your Lordships. But there is a special providence waiting over special trains, and that special train did not arrive to time. I have to tender my humble apologies to your Lordships for any seeming want of form or respect which was the result of that inadvertence which I regret very much should have taken place. The Messages are now in the hands of the noble and learned Lord on the Woolsack.

MESSAGE FROM THE QUEEN.

Delivered by the Marquess of Salisbury, and read by the Lord Chancellor, as follows:

VICTORIA, R.I.,

Her Majesty, being desirous of making competent provision for the honourable support and maintenance of Her grandson, Prince Albert Victor Christian Edward, relies upon the attachment of the House of Lords to concur in the adoption of such measures as may be suitable to the occasion. V. R. I.

Ordered, that the said Message be taken into consideration to-morrow.

MESSAGE FROM THE QUEEN.

Delivered by the Marquess of Salisbury, and read by the Lord Chancellor, as follows:

VICTORIA, R. I.,

Her Majesty having agreed to a marriage proposed between Her granddaughter, Her Royal Highness Princess Louise Victoria Alexander Dagmar, and the Right Honourable the Earl of Fife, has thought fit to communicate it to the House of Lords.

The Marquess of Salisbury

The numerous proofs which the Queen has received from the House of Lords of their loyalty to the Throne, and of their attachment to Her Person and Family, leave Her Majesty no doubt of their readiness to concur in enabling Her Majesty to make provision for Her Royal Highness. V. R. I.

Ordered, that the said Message be taken into consideration to-morrow.

WEIGHTS AND MEASURES BILL.
(No. 121.)

House in Committee on recommitment (according to Order).

*LORD BALFOUR, in moving the omission of Clause 14, said: The ground on which I move to omit this clause is, that in the Committee an Amendment to the next clause was carried, which will involve demands upon the Treasury, which were not contemplated when the Bill came up to your Lordships' House. I now take this course without again arguing the question on its merits, for the purpose of putting matters into such a position that the other House of Parliament if it choose can re-insert the clause in the form in which it please. It is only under these circumstances and purely upon technical grounds that I ask your Lordships to strike out the clause.

On Question "That the clause stand part of the Bill," resolved in the negative.

THE MARQUESS OF BATH called attention to certain words in the schedule to the Bill, which, as he understood, necessitated the examination in London of all the Inspectors under the Act, a course which would involve great inconvenience to Provincial Inspectors.

*LORD BALFOUR: If the noble Marquess will put on the Paper the Amendment which he suggests I shall be glad to consider them before taking the subsequent stage of the Bill. I think the noble Marquess is not accurate in his reading of the Bill. I take it that the Board of Trade need not insist upon all the Inspectors coming up to London to be examined. There is nothing in the Bill as to where the examination shall take place, and I assume as a matter of course that they

will be held at centres convenient to those who desire to undergo the examination.

Other Amendments made; the Report thereof to be received on Monday next, and Bill to be printed as amended. (No. 141.)

ADVANCE NOTES TO SEAMEN BILL.
(No. 93.)

House in Committee on Re-commitment (according to order): an Amendment made; the Report thereof to be received on Monday next; and Bill to be printed as amended. (No. 142.)

TELEPHONE AND ELECTRIC LIGHT COMPANIES AND OVERHEAD WIRES.

THE DUKE OF MARLBOROUGH, in rising to call the attention of the House to the negotiations which are stated to be going on for an amalgamation of the principal telephone companies throughout the kingdom; and to move that the Post Office withhold any consent to the establishment of such a monopoly before a Joint Committee of both Houses of Parliament shall have considered the general conditions under which the telephone companies at present carry on their business, and the right by which either telephone or electric light companies have been establishing a gigantic public nuisance by the running of overhead wires in all directions across main thoroughfares; and to consider further whether it would not be advisable for the Government to establish a general system of telephonic communication throughout the country in connection with the work of the Post Office, said: My Lords, the subject upon which I have put down a Notice of Motion before this House is one that is not often discussed either in this House or in another place; nevertheless, it is one which is a matter of considerable importance to the country at large, and to many of us who can enjoy the advantages of modern inventions. A notice appeared in the papers some time ago that it was the intention of the principal telephone companies to amalgamate and form one large company for the purpose of carrying on the telephone system of the country generally. The history of the United Telephone Company in this country is a rather curious one, because, as a matter of fact, in the first instance when the telephone was introduced, the Government, in exercise of their rights, brought an action to establish the right to the telephone as being part of what was purchased at the time when the telegraph system was taken over, and they were successful in that litigation. The consequence of that was that an arrangement was come to between the Post Office and the Telephone Companies that the Telephone Companies should be allowed to carry on their business upon paying a royalty to the Post Office for the exercise of their rights. That system has gone on for some years. The time is now come when the patents are about to expire, that is to say, in about two years' time the principal patents under which the United Telephone Company carry on their business will become public property, and then there will be power for any company to be formed to establish telephone communication generally. It appears to me, and it has appeared, I think, to a good many people, that the opportunity is one which should not be lost for the Government to consider the attitude they mean to adopt with regard to the telephone. As a matter of fact the purchase which was made of the telegraphs has not proved a very remunerative one. In fact the telegraph was bought too dearly, and it might be supposed that the Government would not be very anxious to purchase the telephone or to encourage the telephone system in this country because it might interfere with the receipts of the telegraph. But such an argument as that is very easily met. It might as well have been said in the old days that railways were objectionable because they would interfere with the stage coaches. As a matter of fact there is no question about it that the telephone will never be a useful invention in this large and important town and throughout the country generally unless the Government are prepared to do something in the matter of taking it up. The Government, in the first place, really have the reversion of this very valuable invention. As it exists at present, the United Telephone Company have established a sort of provisional experimental system throughout London. They have a Central Station to which all the lines are conveyed, and they have, little by little and step by step to

a certain extent, developed a system, which, though it is not a complete system, is more or less so far as it goes an efficient system. There are, however, immense defects still. Anyone who is in the habit of using the telephone system in London is probably aware that it is very incomplete, and that we are hardly ever able to use it, and that we have to wait a long time before we can get into communication. All this results from the fact that the Telephone Company itself has laboured under very great disadvantages. It has had great difficulty in getting way-leaves. It has had great difficulty in establishing its system and maintaining its lines of communication. In fact, it labours under the disadvantage which every private company must labour under, of not being able to establish a large network of communication without having absolute rights by which it can work. As a matter of fact, I believe that there is no real authority to control the running of overhead wires generally. The parish authorities have not got any *locus standi* for controlling the companies, nor, I think, has any private individual, unless he can show that his comfort is interfered with, or that his rights as a leaseholder are infringed. The consequence is that, especially in late years, wires have been running in every direction; posts and poles have been put up, and not only have the Telephone Companies run wires, but the Electric Lighting Companies are running wires all over the town and absolutely disfiguring the place, and also increasing the danger to locomotion in the case of storm, or of disturbance by snow and otherwise. Within a stone's throw of this very House there are seven great electric cables running across from the beginning of Victoria Street. This is a condition of things which appears to me, my Lords, to require some consideration. We have, as I say, come to a time when the patents of the United Telephone Company are coming to an end, and when any company will be in a position to form itself for the purpose of establishing a system in competition with that of the United Telephone Company. They will try to get way-leaves and permission from the householders to put up their posts, and we shall have more wires in every direction. What with the telephone lines and the electric light lines, we shall get into a system of confusion, and dangerous confusion, which will be perfectly intolerable. I really, therefore, think that we should put two propositions before this House. One is that the time has come when the whole system of telephone communication should be considered, and that it should be considered by a Joint Committee of both Houses, whether the Government will be prepared to take into their hands, on the expiring of the patents, the working of the telephones throughout this large city. It must be remembered that this invention has been so improved that we can now telephone over an area of more than 100 miles; and, therefore, in a small country like England there is no difficulty in connecting the great main towns with one another, and, in fact, we should be enormously advantaged in business and in other ways. Such a system as this should certainly not be in the hands of private individuals. It should certainly not be in the hands of one company, and it would not be advantageous if it was in the hands of many companies. The Government alone is able to undertake this system and develop it and work it properly. It was on such a principle that the Post Office acted with regard to the Parcels Post, and most successful and admirable that arrangement has been. The same applies to this system of telephone communication, and there is no question that if this system were developed by the Government we should profit very largely by it. The second point to which I wish to draw your Lordships' attention is the question of these way-leaves and communications. There is no doubt that during the last few years experimental work has been carried out with the electric lighting system, and also, as I say, with regard to telephone communications, and wires are being run in various directions; and it is difficult to say whether, in the long run, some prescriptive right will not be claimed by these companies on the ground that they have enjoyed the peaceful occupation of these way-leaves for so many years, having established these lines of communication (where they are Electric Lighting Companies) under the Provisional Orders which they have obtained for the purpose of laying down their plan generally. Now, in an old

town like London, which has got very narrow streets, it is perfectly impossible to lay all the electric light cables and all telegraph and telephone cables underground. In those towns where it has been done in America (and I have seen this myself), the trenches required for carrying all these cables are very large, and there is no doubt that those Electric Light Companies who have got Provisional Orders for lighting districts will be hampered very largely in having to lay their cables underground. I think it is very doubtful whether they will ever be successful in lighting their districts without having overhead wires. Therefore, in considering this question of the telephone, we are brought to consider the question of overhead wires, and in considering the question of overhead wires we have to consider both the Electric Light Companies and the Telephone Companies as well. Now, my Lords, when those Electric Lighting Acts were passed, there was no question ever raised as to how the cables were to be laid. It was assumed that something would be done, and that somehow or other the cables could be laid. But, as a matter of fact, the whole thing has been left to experiment and enterprise. With regard to telephones, the course the companies have adopted is this:—They engage a place where they can put up a post (or what is called a derrick), and they get way-leaves—that is to say, they get the consent of the neighbouring proprietors to the cables starting from these derricks, from these starting points, and then they trust to the chapter of accidents—to householders and freeholders not objecting to the wires crossing their premises afterwards. They have enormous trouble with regard to that. Sometimes they have to run these wires at night in order to be able to get their lines across unnoticed. In other cases where they have several wires running over premises, the owners of the premises have maliciously thrown the cables over and cut the wires altogether. The companies have no means of protecting themselves, because they have really no *locus standi* in the matter. The same thing applies to the Electric Light Companies. The Electric Light Companies run their cables as best they can. Your Lordships are aware that one of the few Electric Lighting Companies who have done real work in London—I mean that which lights the Grosvenor Gallery—are able to run overhead wires in order to supply the current. I must say myself that with the little I know of the subject I do not see how, in a town like London, where you have got such small streets, you are ever going to supply what I should call the subsidiary currents without using overhead wires. Therefore, it seems to me that a very fitting subject for your Lordships' House to consider would be, first of all, the position of the Government with regard to the telephone; and, secondly (which brings in the question of overhead communication), perhaps it would be well for your Lordships to consider what should be the regulation and the rule under which overhead wires should be permitted. There are a few things which suggest themselves with regard to it. As your Lordships are aware, in certain towns where overhead wires are carried to a very large extent great confusion and difficulty has been produced. In New York—and, in fact, in all the towns in America where all the wiring is done overhead—it was customary to run wires wherever people chose, and the consequence was that you had in some places an enormous number of telegraph and electric wires, one pole sometimes carrying 200 or 300 wires on it. When one of the wires was disused, and became what is known as a dead wire, the companies did not take them down, and the consequence was that when another company sent somebody up the pole to mend their wire, the men could not find their own wire, but got hold of the dead wires. Again, accidents occurred; men who went up the poles to attend to a telegraph wire came into contact with the electric lighting wires, and were killed by them. It is absolutely necessary that there should be rules and regulations for the control of those overhead wires, and a few simple considerations suggest themselves. One is that these lines of communication should follow the lines of the streets. Another is that the derricks —that is to say, the supports—should be of a weight calculated to carry the cables which are stretched between them. Another is that the swing of the cables should not be of excessive amount, so as to be dangerous in the case of storms and frosts. Another idea

is that they should not cross main thoroughfares, except at stated points. This, and various other suggestions, would occur to anybody who has considered the subject as being extremely necessary and extremely important with regard to the question generally. I think that no better means of arriving at a working rule with regard to this matter could be suggested than by the action of a Joint Committee of both Houses. I therefore venture to place before your Lordships the Motion which I have set down on the Paper, which is that Her Majesty's Government should appoint a Committee for the purpose of considering, first of all, the relation between the Government and the Telephone Companies, and the attitude which the Government are prepared to take with regard to working the telephone system as a branch of the Post Office; and, secondly, to consider the whole question of overhead communication by wires, and to recommend rules and regulations, whether they be under the Board of Trade or otherwise, which shall apply to the swinging of wires by the Post Office or by private companies that might be authorized to employ the system.

Moved, That the Post Office withhold any consent to the establishment of a monopoly by the amalgamation of the principal telephone companies before a Joint Committee of both Houses of Parliament shall have considered the general conditions under which those companies at present carry on their business, and the right by which either telephone or electric light companies have been establishing a gigantic public nuisance by the running of overhead wires in all directions across main thoroughfares; and to consider further, whether it would not be advisable for the Government to establish a general system of telephonic communication throughout the country in connection with the work of the Post Office.—(*The Duke of Marlborough.*)

THE MARQUESS OF SALISBURY: My Lords, the question which has been brought before us by the noble Duke is an important one; and, no doubt, the fact that the patents of these companies are likely to expire in a year or two makes it a question on which some definite course must be adopted. I do not think it would be desirable for me to examine the points which are in issue between the Government and the companies, because there are many matters which must be submitted to the Committee; and I should be rather pre-

The Duke of Marlborough

judging the case should it be referred to a Committee. I have only to say that the Government have no objection whatever to the inquiry which the noble Duke suggests in reference to the first part of his Motion. I am not sure whether the second part ought to be adopted as a portion of the same inquiry. It seems to me rather to belong to the jurisdiction of those who have power over the overhead lines in our thoroughfares than to the questions which are mixed up with either public communication or electric lighting. But on that I should be glad to hear the further views of the noble Duke. I think, in any case, he will find that the inquiry which he has placed before us in the first branch of his Motion is quite large enough to occupy all the time that can be obtained between this and the Prorogation, and I think for the present it would be better to confine the inquiry entirely to that point. I believe my noble Friend who represents the Board of Trade has something to say in respect to the subject of overhead wires.

*LORD BALFOUR: My Lords, I wish to say a few words with regard to the second part of the Motion which the noble Duke has put upon the Paper, and with regard to that part of his speech in which, if I understood him rightly, he said that there were no conditions laid down for the regulation and possible removal of those wires which had been put up by the companies which had undertaken to supply electric lighting in different parts of the Metropolis. I venture to think that it would be extremely desirable in the future discussion of this matter to separate a little more than the noble Duke did the question of telegraph and telephone wires, and wires for the supply of electric light. I would desire to remind the House, and to call the special attention of the noble Duke to the fact, that when the Amending Bill was passing through the Houses of Parliament last year—the Bill to amend the Electric Lighting Act of 1882—special powers were conferred upon the Board of Trade for the regulation of the overhead wires of Electric Lighting Companies. The fourth section of that Act lays several distinct duties upon the Board of Trade, and amongst others the duty of making regulations regarding overhead wires for the supply of electric lighting.

And, my Lords, I am authorized to tell the noble Duke and the House that those regulations are in an advanced state of preparation, and will, as soon as possible, be communicated to Parliament. My Lords, the Act of last year, to which I have already referred, so far, at any rate, as the Metropolis is concerned, to which a large part of the noble Duke's speech was directed, empowered the Board of Trade to declare to Electric Lighting Companies in the Provisional Orders under which they take power to undertake electric lighting that all overhead wires for the supply of electric lighting are to be removed within a prescribed time, and that is in process of being done as far as possible; preparations at least are being made for having that done at the proper time without undue hardship to the companies. With regard to the special company which the noble Duke mentioned, the company which has its headquarters at the Grosvenor Gallery, the noble Duke is probably aware that that company has purchased a site at Deptford at which they are preparing to conduct very extensive operations, and I believe though I am not absolutely certain on this point, that within a reasonable time it will be possible to make arrangements for the removal, at any rate, of a very large number of the overhead electric wires which are the property of that company. But with regard to telephone wires, the noble Duke is perfectly accurate in saying that the Board of Trade have no authority whatever to deal with them. That matter is, I am bound to say, in a rather unsatisfactory position on account of the decision of the Law Courts in what is known as the Wandsworth case. Up to the time of that decision it was thought by many lawyers that Local Authorities had the same power with regard to the streets that the owner of a freehold has with regard to the land which he possesses. That decision was made the subject of appeal; and upon appeal it was confirmed, so far as the point of it is material to the present discussion. It was to this effect—that the right of property which Local Authorities have with regard to the streets is a right to see that they are not obstructed, and can be properly used for the purpose of traffic; and it would be necessary, before a Local Authority could order the removal of a wire which passes through the air above the street, to prove that that wire was so placed as to obstruct the traffic and as to be directly a source of danger to the public. That is not the case with regard to the wires under ordinary circumstances; but that is the state of the law—that the Local Authority is at the present time, so far as the streets are concerned, powerless to prohibit the wires, and can scarcely do more than see that they are placed at a sufficient height not to obstruct the ordinary use of the streets.

THE DUKE OF MARLBOROUGH: With regard to the remark which fell from the noble Marquess, I quite admit the accuracy of his statement that undoubtedly this subject is a very large one, and that to inquire into the adoption by the Post Office of the telephone system, and also to inquire into the question of overhead wires, would be a very large inquiry. I am fully impressed with that opinion; but the noble Marquess misapprehends me when he thinks that I suggest that the Committee should sit this year. These patents cannot fall in until two years' time.

THE MARQUESS OF SALISBURY: One of them expires next year.

THE DUKE OF MARLBOROUGH: If a Joint Committee of the two Houses sat next year to consider this question they would have time to report to the two Houses of Parliament in time for Her Majesty's Government to introduce what measures they considered right in the matter. With regard to the remarks that fell from the noble Lord on the subject of the rights of Telephone Companies and the Electric Lighting Companies as to the running of overhead wires, it is perfectly true that the provision which was made by the Board of Trade to regulate the running overhead of electric lighting wires had escaped my observation; but I will venture to suggest that notwithstanding the scheme—which will very likely be successful—to light London from some outside part altogether, a great many difficulties will occur with regard to the minor cables. When you have brought up to London your great current of 10,000 volts you have to distribute it into the 2,000 volt currents, and you have to take 2,000 volt currents from a centre into all the different private residences, and

the difficulties will be great in getting from the 10,000 volt currents to the 2,000 volt currents. These are rather technical matters; but I think that is where the difficulty will occur. With regard to the telephone wires, I was given to understand exactly what the noble Lord states, which is that there are no means of absolutely compelling the Telephone Companies in the matter of running their wires provided they do not infringe the rights of private property holders. I think, my Lords, that that really almost speaks for itself, and shows that it is absolutely necessary that Parliament should deal with these questions. I do not think there is a single town in all civilized Europe which is so behindhand—first of all in its telephone communication; and, secondly, there is none which has been so absolutely spoiled, and is being so disfigured, by wires running in all directions than London. I therefore think that we can well appeal to Her Majesty's Government to consider this question at some favourable opportunity. I will simply point out that it appears to me that the proper course with regard to it would be that it should meet next year for the purpose of considering the question of the relation of the Government and the Telephone Companies.

THE MARQUESS OF SALISBURY: I will only say that the noble Duke is quite right in his suggestion that the Committee should meet; but I do not know that it would conduct its investigations with any great advantage during the fag end of the Session which remains. The first patent does expire at the beginning of December of next year; and, therefore, somehow or other, the matter should come to a conclusion before the next Session closes.

THE DUKE OF MARLBOROUGH: After what has fallen from the noble Marquess I beg to withdraw the Motion and postpone it to the next Session of Parliament.

Motion, by leave of the House, withdrawn.

COMMISSION OF THE PEACE IN IRELAND.

QUESTION—OBSERVATIONS.

LORD ORANMORE AND BROWNE, rose to ask Her Majesty's Government for what reason a gentleman appointed to the Commission of the Peace in Ireland was charged a stamp duty of £6, while in the same circumstances there was no stamp duty charged in Scotland?

*EARL CADOGAN: I am informed that from time immemorial fees have been charged on the issue of the Commissions of the Peace in Ireland, and that these fees have been dealt with by various Acts of Parliament. The £6 at present charged is fixed by the order of the Supreme Court of Judicature, made December 26, 1877, and although popularly called a stamp duty is really a Court fee to be denoted by a Judicature fee fund stamp on the Commission, and payable to Her Majesty's Treasury. The Irish Authorities have no knowledge of the practice in regard to fees on the issue of the Commission of the Peace in Scotland.

*LORD ORANMORE AND BROWNE: I cannot see that the existence of an evil is any reason why it should not be remedied. The existence of this duty is an evil, and is unfair to people in Ireland.

THE MARQUESS OF SALISBURY: Perhaps the best course would be to levy the fee in Scotland.

*LORD ORANMORE AND BROWNE: I am afraid that Scotland would hardly agree with the suggestion of the noble Marquess.

House adjourned during pleasure.

House resumed: The Lord Foxford (*E. Limerick*) chosen Speaker.

COAL DUTIES (LONDON) ABOLITION BILL.

Brought from the Commons; read 1ª; to be printed; and to be read 2ª tomorrow.—(*The Lord Balfour.*) (No. 143.)

House adjourned at a quarter past Seven o'clock, till Tomorrow, a quarter past Ten o'clock.

HOUSE OF COMMONS,

Thursday, 4th July, 1889.

TRAFALGAR SQUARE REGULATIONS.

Ordered,

Address for Return giving the Regulations issued by the Chief Commissioner of Police with respect to Trafalgar Square, on the 12th and the 18th days of November, 1887, respectively.—(*Mr. Howell.*)

PUBLIC PETITIONS COMMITTEE.

Report brought up and read; to lie upon the Table, and to be printed.

QUESTIONS.

ASSISTANT SCHOOLMASTER OF BELFAST WORKHOUSE.

MR. BIGGAR (Cavan, W.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether his attention has been called to the fact that the assistant schoolmaster of the Belfast Workhouse was convicted of drunkenness and disorderly conduct on or about the 14th July, 1885, and was also convicted on the 26th December, 1888; and, if so, what course will the Local Government Board take in this case?

THE CHIEF SECRETARY FOR IRELAND (Mr. A. J. BALFOUR, Manchester, E.): The Local Government Board are not aware that Mr. Madden, the Assistant School Master, was convicted in 1885. With regard to the conviction in December, 1888, an Inspector has made inquiry, and finds that Mr. Madden was at the time away from duty on leave of absence. The Board do not feel that it is a case calling for further action.

POWERS OF POOR LAW GUARDIANS.

MR. SALT (Stafford): I beg to ask the President of the Local Government Board, if it is his intention to introduce during the present Session any Bill to enlarge the powers of Poor Law Guardians in providing for pauper children who may be subject to neglect or ill-treatment?

*THE PRESIDENT OF THE LOCAL GOVERNMENT BOARD (Mr. RITCHIE, Tower Hamlets, St. George's): I hope to be able to introduce during the present Session a Bill giving to Boards of Guardians increased powers with regard to control over children who, in consequence of desertion by their parents, have become chargeable on the rates. I have not contemplated the introduction of any measure dealing otherwise with the neglect or ill-treatment of children. Large additional powers with regard to cases of ill-treatment will be conferred by the Cruelty to Children (Prevention) Bill now before the House.

CUSTOMS REGULATIONS—PHOTOGRAPHIC DRY-PLATES.

COLONEL COTTON (Cheshire, Wirral): I beg to ask the Secretary to the Treasury whether definite instructions have yet been given to the officers of Her Majesty's Custom House as to the proper examination of undeveloped photographic dry-plates; whether he is aware that considerable inconvenience is caused to the owners of such plates by the absence of a properly lighted "dark-room" for the purpose; whether a second case has been brought to his notice of a valuable batch of plates from the Canary Islands having to be examined, greatly to the risk of spoiling them completely, in an old box covered with a tarpaulin; and, whether he will take care that proper accommodation for the examination of these plates be provided at the various offices of Her Majesty's Customs?

THE SECRETARY TO THE TREASURY (Mr. JACKSON, Leeds, N.): The answer to the first and fourth paragraphs of the question is yes. As regards the second and third paragraphs, the Commissioners of Customs inform me that no complaint has reached them since the issue of the instructions of any inconvenience having been caused by the absence of a properly fitted "dark room"; nor are they aware of any instance in which the examination of a batch of plates from the Canary Islands occurred under the conditions mentioned in the question.

THE ALLOTMENTS ACT.

MR. JESSE COLLINGS (Birmingham, Bordesley): I beg to ask the President of the Local Government Board whether the Depwade Rural Sanitary

Authority, having let land under "The Allotments Act, 1887," have demanded three quarters' rent in advance, and another quarter's rent to be paid on the 6th of July; and, whether, in the agreement entered into with the labourers, only one quarter's rent was to be paid in advance?

*Mr. RITCHIE: I have communicated with the Depwade Rural Sanitary Authority on the subject of this question. I find that under the agreements for letting, which were dated the 17th of May last, the hiring was as from the 11th of October, 1888. A quarter's rent is payable in advance, and it was considered that the rent for one quarter became due on the 11th of October, for the second quarter on the 6th of January, and for the third quarter on the 6th of April; and the tenants have been asked to pay the rent for these three quarters as arrears. Another quarter's rent becomes payable in advance on the 6th inst. I am informed that in many, if not most, of the cases the tenants had been in actual possession of the allotments for many weeks previous to the date of the agreements. The agreements, it is stated, were made to commence as from the 11th of October last, as the tenancies in the district usually run from that date, and it is said that under this arrangement the tenant gets his year's crop and pays a year's rent, whereas if a tenancy commenced at Lady Day and the tenant left at Michaelmas he would get a year's crop for half a year's rent only. This is the explanation given to me, but I cannot say that I consider it a satisfactory one, and I venture to express a hope that the matter will be reconsidered by the Sanitary Authority. The Local Government Board have not, however, any jurisdiction.

RIOT AT MOREE.

Mr. OCTAVIUS V. MORGAN (Battersea): I beg to ask the Under Secretary of State for the Colonies, what steps were taken to prevent the recent riot, which took place at Moree, near Cape Coast, and which resulted in the loss of over twenty lives?

The UNDER SECRETARY OF STATE FOR THE COLONIES (Baron H. de Worms, Liverpool, East Toxteth): On hearing from the Chief of Moree that a disturbance was apprehended between two of the companies of the town, the District Commissioner of Cape Coast issued 20 summonses, and bound over the people summoned to keep the peace. He ordered them to cease from building a post on which to exhibit a flag, which was the cause of dissension, and, after sending for them and warning them several times, he got them to agree, on the 7th of February, that the whole matter should be decided by him as District Commissioner in Court, with certain of the leading natives of Cape Coast to assist him. On the same evening, however, they began to fight; and before a sufficient force of police could be collected to cope with the rioters, the town had been burnt and 35 persons killed. As soon as the news reached the headquarters of the Government, prompt measures were taken to despatch a force of police; no further disturbance has occurred, and 62 persons have been arrested and committed for trial, on charges of murder, riot, and arson. The action of the District Commissioner is being inquired into, and no opinion respecting it can be expressed at present.

IRELAND—PUBLIC WORKS.

Mr. JOHN ELLIS (Nottinghamshire, Rushcliffe): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland, whether the Government will assent to the Notice of Motion on the Paper to-day for a return respecting the £3,919,954 19s. 4d, advanced up to the 31st day of March, 1888, by Commissioners of Public Works, Ireland, under Act 10 and 11 Vic. c. 32, showing—1, Name and address of person to whom any advance has been made; 2, Date; 3, Amount of such advance; 4, For what purpose; 5, At what rate of interest, and on what terms of repayment; 6, Portion of principal and interest which fell due before the 31st day of March, 1888, in respect of such advance; 7, Amounts of such principal and interest repaid before the 31st day of March, 1888; 8, Arrears of such principal and interest outstanding on the 31st day of March, 1888; with totals of these respective headings.

Mr. JACKSON: I do not think it will be possible to assent to a Return in the form suggested by the hon. Member.

KILLALOE EEL FISHERIES.

MR. COX (Clare, E.): I beg to ask the Secretary to the Treasury, whether, and, if so, under what authority, the Irish Board of Works claim rent for the eel fisheries at Killaloe; whether the Board of Works at any time purchased out the interest of the owners of said fisheries; and, if so, if he will state the names of the vendors, the terms of the agreements for purchase, and the amounts paid to each of the parties; whether a notice not to let or mortgage has been received from an inhabitant of Killaloe, who claims these fisheries under Patent from the Crown; and, what course will be adopted under the circumstances.

MR. JACKSON: I am told that an action at law is pending, and under the circumstances it would not be right that I should enter into any details.

LORD LONDONDERRY AND HIS TENANTS.

MR. M'CARTAN (Down, S.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he is aware that Charles Murray, of Ravana, Union of Newtownards, served originating notice to fix fair rent on his landlord, the Marquis of Londonderry, on 28th October, 1887, thereby entitling him to the benefit of the reduced rent from 1st May, 1887, but up to the present he has been unable to get his fair rent fixed, and his application now appears in the list of cases to be heard at the next sitting of the Sub-Commission at Newtownards; whether he is aware that since the publication of this list, and within the last week, the Marquis of Londonderry has caused an eviction notice (under Section 7 of "The Land Law (Ireland) Act, 1887") to be served upon this tenant, thereby converting Murray into a caretaker, and depriving him of the right to have a fair rent fixed, though he was in no way responsible for the delay in having the application heard; and, whether, considering the practice now resorted to by landlords in Ireland, which has the effect of depriving tenants from the benefits of the Land Acts, in cases where the delay was on the part of the Irish Executive, he will take steps to secure to the tenants the rights intended to be conferred upon them by the Legislature.

MR. A. J. BALFOUR: Before the notice referred to was served it was open to the tenant to apply to have the proceedings stayed, pending the fixing of a judicial rent, and the County Court Judge had power to comply with the application, if, in his opinion, the circumstances warranted it. It is still open to the tenant to redeem within the statutable period of six months. The rights of tenants are amply safeguarded under the existing statutes, the benefits of which they could not be deprived of save through their own default.

In reply to a further question by Mr. M'CARTAN,

MR. A. J. BALFOUR said: I have no reason to believe that this tenant offered to pay two and a half years' rent and was refused. I have no information of that fact.

FLOOD GATES ON THE SHANNON.

MR. COX: I beg to ask the Secretary to the Treasury, whether he is aware of the feeling of uneasiness which exists amongst the inhabitants of the City of Limerick, and of the towns on the River Shannon below Killaloe, on account of the dangerous state of the floodgates at Mellick and Killaloe; whether he is aware that the structure under the floodgates was built on a sandy bottom, and hundreds of tons of the cement and gravel forming this structure have been swept away by the current, and have now accumulated in an immense heap between the gates and Killaloe, and that the river is at present flowing through and under the foundation; whether complaints have reached him that the engineer who has charge of the sluices is frequently absent and at long distances from Killaloe when floods take place; and whether some steps will be taken to assure the people that proper repairs will be made in the breaches already made?

MR. JACKSON: I am informed by the Commissioners of Public Works that the apprehension and complaints referred to in the question have no foundation whatever. Therefore, it is not necessary that I should answer the question in detail.

ATHLONE UNION WORKHOUSE.

MR. HAYDEN (Leitrim, S.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether the Irish

Local Government Board has yet sanctioned or refused to sanction the appointment of medical officer of the Athlone Union Workhouse, the election for which took place more than a month since; whether an objection to the candidate selected was sent to the Local Government Board; whether this objection related to a matter, the truth of which it was in the power of the Local Government Board at once to ascertain; and whether the Local Government Board will allow any further time to elapse without giving a decision on the question?

MR. A. J. BALFOUR: Objection has been raised to the candidate elected, and the Local Government Board are making inquiries into the matter. As the appointment will not take effect until the 1st of August next, no inconvenience will be sustained by the election not having effect given to it at once.

THE WATER SUPPLY OF ROSCOMMON.

MR. HAYDEN: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether, in consequence of a difference of opinion between the Local Government Board and the Local Board of Guardians, the town of Roscommon has been left for several years without a proper supply of water, to the great danger of the public health, as well as to the existence of the town; whether he is aware that seven years ago, a fire occurred in the town, which, owing to the want of a water supply, could not be extinguished until damage to the extent of several thousand pounds had been caused, over £5,000 of the amount having to be borne by the public rates; whether the ratepayers of the town have on various occasions expressed themselves in favour of the obtaining of a good water supply; whether, pending the dispute between these two bodies, over which the ratepayers have no adequate control, the town of Roscommon is to be left without a water supply; and, whether any steps will be taken in the matter?

MR. A. J. BALFOUR: The Local Government Board are fully sensible of the importance of the matter, and the statements in paragraphs 2 and 3 of the question are substantially correct. The delay has arisen from the Guardians, who are the Sanitary Authority in Roscommon, desiring to make the whole Union of Roscommon contribute to the cost which would involve the levying of a rate upon persons who live eight miles away and who would derive no benefit from the water supply. This is not approved by the Local Government Board, who proposed to make it a charge on the electoral division of Roscommon, which embraces the town and a surrounding area of from two to three miles. The responsibility rests entirely with the Guardians.

MR. HAYDEN: Is the town of Roscommon to be left without water pending an agreement between these two bodies?

MR. A. J. BALFOUR: The Local Government Board do not propose to enter into any agreement.

THE CASE OF MARTIN MURRAY.

MR. PICKERSGILL (Bethnal Green, S.W.): I beg to ask the Secretary of State for the Home Department, with reference to the case of Martin Murray, who on Thursday last was sentenced at Marlborough Street Police Court to three months' imprisonment for falsely stating, when about to be enlisted into the Army, that he was not married, whether the pleas urged by the prisoner in mitigation of punishment were true, namely, that he had been for a long time previously out of work, and that his attempt to enlist was made with the knowledge and sanction of his wife; and, if so, whether he will advise that a portion of the sentence be remitted?

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. MATTHEWS, Birmingham, E.): The Magistrate took these pleas into consideration in passing sentence, and I see no reason to interfere with the sentence.

MR. PICKERSGILL: May I ask if three months is not the maximum penalty?

MR. MATTHEWS: Yes.

THE NEW FOREST.

MR. DARLING (Deptford): I beg to ask the Secretary to the Treasury what is the number of the persons having rights of common in the New Forest?

MR. JACKSON: I have not been able to obtain any precise information as to the present number of commoners, but under the Acts of 1851 and 1854

about 1,300 claims were put in, of which between 400 and 500 were disallowed, leaving the number allowed between 800 and 900, but the same claimant in many cases put in more than one claim.

MR. COLLINGS: Have the claims of all those who cannot prove their rights as commoners been disallowed?

MR. JACKSON: I have already said that between 400 and 500 of the claims which were made were disallowed. They were disallowed, I presume, because they were not substantial.

IRELAND—EXTRA POLICE IN WATERFORD.

MR. P. J. POWER (Waterford, E.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland, how many extra police are stationed in the County Waterford, and at what cost to the ratepayers; what is the number of police allotted to the County Waterford by the police regulations, and has the full number allowed by such regulations been employed in the county before a tax for extra police was imposed upon the ratepayers; is it the case that in English counties there is on an average only one policemen to every 1,250 people, and whether in Irish counties, with less ordinary crime, we have one policeman to every 330 people; with the view of ascertaining why the County Waterford has been, and is, charged with extra police, will he have the attention of the Constabulary Authorities drawn to a charge delivered by Judge Waters on the 3rd January, 1888, in addressing the Quarter Sessions Grand Jury, in which he used the following language:

"The amount of crime from the county and city investigated in this Court during the year 1887 has been, I may say, insignificant. You know, I presume that I am County Court Judge of two other counties, Cavan and Leitrim. These three counties represent a large area, inhabited by 332,616 people, and may be considered representative of the whole country. I have procured the last published statistics of the United Kingdom, and they show the number of committals in England and Wales were 13,856, which gives the rate of one committal to 1,911 people. The population of my three counties is 332,616, so that to make crime in these three counties equal to crime in England the number of committals should be 174, whereas they amount only to 114 (including quarter sessions and assizes), so that our crime is only 63 per cent of the crime in England. In Scotland the committals were 2,535, which gives the proportion of one committal to every 1,473 people. In order that the proportion of our crime should equal that of Scotland the number of committals here should be 225, but they are only 114; I find the rate of convictions in England and Scotland nearly the same, 77 per cent. of the committals, and, strange to say, the rate of convictions in Waterford is almost identical, differing only by an inconsiderable decimal. In Leitrim the rate of convictions is 82 per cent. of the committals;"

whether it is a fact that, at the period referred to in Judge Waters' address, which was before the passing of the Criminal Law and Procedure (Ireland) Act, 1887, the ratepayers were called upon to pay for extra police; and, what now justifies the employment of extra police in the County Waterford?

MR. A. J. BALFOUR: The Constabulary Authorities report that there are 34 extra police stationed in the County of Waterford, of whom 16 men were appointed on the requisition of the local Magistrates for the performance of ordinary duty, and 18 on the Lord Lieutenant's proclamation when the county was proclaimed as disturbed in 1882. The cost to the ratepayers for the year ended March 31 last was £864 12s. 4d. The free quota of police allotted to the county by the police regulations number 232. Vacancies in the free quota and the extra force in every county are always allowed and are provided for by statute. The full number allowed has been employed, save a small percentage for men training at the depôt, which is usual and necessary, before a tax for extra police was imposed. The proportion of the Constabulary to the population of Ireland (exclusive of the city of Dublin) is about one in 400. I have no reason to doubt the accuracy of the quotation from the charge of the learned Judge; nor the accuracy of the figures given by him. But it is rash to draw conclusions hastily from statistics of this kind, which lend themselves with equal or even greater readiness to inferences of precisely the opposite kind to those made by the hon. Member. At the period referred to in the fifth paragraph the ratepayers were paying for 50 extra police, since reduced to 34. The question of the extra force in each county is periodically closely gone into, and wherever practicable the number is reduced. No further reduction can at present be made.

ROYAL NIGER COMPANY.

MR. PICTON (Leicester): I beg to ask the Under Secretary of State for Foreign Affairs whether the Secretary of State has been informed of the circumstances under which, in the month of January last, in the Royal Niger Company's district, a boy, Ewoko by name, belonging to King Ebufa, was killed on board the *Sakoto*, one of the Company's steamers; whether the boy was killed by the captain of the steamer; whether the captain was tried for the offence, and sentenced to three months' imprisonment and a fine of £25; what were the circumstances which justified so light a sentence for illegally taking the life of a native; and, whether the captain, since his release, has again entered the employment of the Company?

*THE UNDER SECRETARY OF STATE FOR FOREIGN AFFAIRS (Sir J. FERGUSSON, Manchester, N.E.): It has been ascertained that a man on board the *Sakoto* died some hours after he had been struck by a stick thrown at him by the captain. The case was tried before Chief Justice Kane, and the trial seems to have been full and impartial. The Judge delivered a long and careful judgment, finding the accused man guilty of an unlawful and violent act, which unfortunately resulted in death. For this he adjudged him to suffer the punishment mentioned in the question. We do not know if the captain has been re-employed.

MR. PICTON: Was the captain found guilty of manslaughter?

*SIR J. FERGUSSON: Yes, Sir. The Report only reached the Foreign Office to-day. It is very long, but I observe that the learned Judge carefully defined the various degrees of manslaughter. The accused was found guilty of having committed a violent act, which by misadventure resulted fatally. I believe that the trial was carefully and impartially conducted.

OIL RIVER DISTRICTS.

MR. PICTON: I beg to ask the Under Secretary of State for Foreign Affairs whether it is true, as stated in an Old Calabar journal, that Her Majesty's Commissioner offered to an assembly of Oil River chiefs the alternative of government by the Royal Niger Company, or the erection of the district into a Crown Colony; and, whether the chiefs unanimously preferred the alternative of a Crown Colony?

*SIR J. FERGUSSON: It is not the case that the Commissioner made any such offer.

MR. PICTON: Has the right hon. Gentleman seen it so stated in an Old Calabar journal, and have the natives distinctly stated that they prefer to be directly under the rule of Her Majesty?

*SIR J. FERGUSSON: I cannot say that that is a fact within my own knowledge.

MR. PICTON: Will the right hon. Gentleman be good enough to lay on the Table of the House before the end of the Session any Papers which may have been communicated, and among them the memorial of the native chiefs?

*SIR J. FERGUSSON: I will make inquiry.

IRELAND—THE DEASE MEMORIAL.

MR. T. W. RUSSELL (Tyrone, S.): I beg to ask the Chancellor of the Exchequer whether he has lately received from the Standing Committee of the Meath Hospital and County Dublin Infirmary a statement calling attention to the position of "the Dease Memorial" at the time of Mr. O'Reilly Dease's death; and, whether, taking all the facts into consideration and the nature of the charity, he can see his way to grant such a sum out of the estate of the late Mr. Dease as will suffice to complete the memorial?

*THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN, St. George's, Hanover Square): The statement in question was received a year ago, and the hospital authorities were informed at the time that the trustees under Mr. Dease's will had no evidence before them which, in their opinion, could constitute a legal claim on the part of the hospital, and, in the absence of such legal claim, had no power to divert any portion of the estate from the purposes for which it was devised by the testator. I have since examined the case carefully, and can find no adequate evidence that the hospital authorities have any moral claim upon the estate that would justify a vote being taken on their behalf. The evidence submitted to me—namely, the correspondence between them and Mr.

Dease, does not show that he intended to pay the whole cost of the memorial, but seems to me to point to the opposite conclusion. Mr. Dease expressly warned them against launching out into too great expenditure before obtaining the necessary funds, and the letters also make mention of money being collected for the work, which points to the fact that Mr. Dease by no means held himself responsible for the whole cost.

ARKLOW HARBOUR.

MR. WILLIAM CORBET (Wicklow, E.): I beg to ask the Secretary to the Treasury whether the harbour works at Arklow are in an unfinished state; whether the loan granted by the Treasury, under the 45 Vict., c. 13, has been all expended; whether representations have reached him that whereas the 7th section of the Act provides "in case any further loan, in excess of the £30,000, is required," that the Treasury may, by order, charge the ratable property of the town of Arklow with the payment of any sum so required for the completion of the works, the town of Arklow, from its limited area, and small amount of ratable property, is unable to bear any such additional impost; and, whether he will, under the circumstances, consider the desirability of having the concrete blocks, which were made for constructing the north pier, laid down without further cost to the ratepayers?

MR. JACKSON: The North Groyne originally contemplated has not been constructed. There is a small surplus on the original grant and loan. The Treasury cannot charge the rates of Arklow with any excess expenditure without the consent of the Town Commissioners, and without that consent I do not see my way to sanctioning the construction of the North Groyne.

THE IMPRISONED IRISH MEMBERS.

MR. SHAW LEFEVRE (Bradford, Central): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether it is the fact that in numerous cases Irish Members and others imprisoned for offences under "The Criminal Law and Procedure (Ireland) Act, 1887," have been ordered to take exercise with other criminals convicted of crimes of a serious character under the ordinary law, and on refusing to do so have been deprived of all exercise, and have been put into punishment cells and fed on bread and water; whether it has been recently determined by the Government to make a change in this respect, and no longer to insist upon such persons taking exercise with criminals; and, whether he will explain in what way the new arrangement has been effected, whether by regulation or direction from the Prisons Board or otherwise, and to what classes of persons, whether under "The Criminal Law and Procedure (Ireland) Act," or otherwise, the arrangement will apply?

MR. A. J. BALFOUR: The General Prisons Board report that without further particulars as to dates and places it is not practicable for them to reply to the inquiries in the first paragraph. As regards the remainder of the question, they report that a change has recently been made in the regulations affecting exercise of prisoners, by substituting for Rule 44 a new rule, in which discretion is vested in the matter in the governor and medical officer; that the new arrangement has been effected by promulgation of the new rule to governors of prisons, and that no particular classes are specified in the rules, and as to this, governors and medical officers will have to exercise their own discretion, subject to the general supervision and control of the Prisons Board.

MR. MAC NEILL (Donegal, S.): In connection with the second paragraph of the question, may I ask if the right hon. Gentleman is aware that no later than yesterday, in Derry Prison, Father Stephen and Mr. John Kelly were ordered out by the governor, to take exercise with the criminals who were convicted of the Belfast insurance frauds, and that when they refused to go they were placed in punishment cells, and at the present time are on bread and water?

MR. A. J. BALFOUR: I must ask for notice of the question.

MR. SHAW LEFEVRE: Is the exercise of political prisoners left entirely to the discretion of the Governor of the prison and the medical officer? Is there any power given to the prison authorities as to how they are to exercise their discretion?

MR. A. J. BALFOUR: No; the class of political prisoners is not recognized by Her Majesty's Government, in

which opinion, I apprehend, they are supported by the law. I may say that the governor of the prison and the medical officer exercise their discretion, subject to the supervision of the Prisons Board.

MR. SHAW LEFEVRE: I beg to give notice that I will put another question on the subject to-morrow.

DELAGOA BAY.

SIR WILLIAM MARRIOTT (Brighton): I beg to ask the Under Secretary of State for Foreign Affairs whether the exact boundary line between the Portuguese territories and those of the South African (Transvaal) Republic have been marked; and whether he will place a sketch map in the Library showing such boundary if it has been marked?

*SIR J. FERGUSSON: I cannot find that any such boundary line has been marked.

IRELAND—LOUGH REE AND THE SHANNON.

MR. HAYDEN: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he is aware that the Shannon Commissioners constructed a navigable canal, about half a statute mile long, connecting Lough Ree on the Shannon with a substantial landing harbour in the hamlet of Lecarrow, conveniently situated for traders, tourists, and others midway on the public road from Roscommon to Athlone; whether he is aware that this canal, in addition to trade and other purposes, was intended to drain a considerable area adjoining it, but that the silted mud from the drainage of an adjacent railway has been allowed to accumulate in it for several years, to the great danger of grazing cattle on its banks, as well as to the almost complete stoppage of water in the several watercuts in its catchment area; and, whether, in view of the large sums now to be expended on the drainage of the Shannon, Her Majesty's Government will cause this canal to be cleaned up and restored to its former usefulness.

MR. A. J. BALFOUR: I understand that the Lecarrow Canal was originally constructed by the Shannon Commissioners temporarily and solely for the execution of the works, but was treated for a few years as part of the navigation. There being no traffic it was abandoned 17 years ago, and is now in a great part choked with weeds, and silted. It is not intended to restore the canal for navigation purposes, but it will be cleaned up, where necessary, for the drainage of the adjoining lands.

MR. W. O'BRIEN'S ARREST.

MR. M'CARTAN: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland, with reference to the shooting of Timothy O'Sullivan, the head porter at Charleville Railway Station, on the arrival there of the hon. Member for East Cork on Sunday night last, he can state if any inquiry has been made into the matter; whether O'Sullivan, while in uniform, found in one compartment five constables without tickets, and was referred by them to the officer in charge, who was in another compartment; whether O'Sullivan, on opening the door of the compartment where the officer was, found the officer sitting there; and a number of policemen, who accompanied the officer, made repeated thrusts at O'Sullivan, and finally pushed him off the footboard, without having shown him the tickets; whether the officer then pointed his revolver out of the window, and shot O'Sullivan, with a bullet, under the right eye; whether this officer has been placed under arrest; and, what steps have been taken with reference to the conduct of the police on this occasion?

MR. A. J. BALFOUR: It appears from the Official Reports that the door of the railway carriage containing the prisoner and his escort was surrounded by a mob of about 100 persons. It was twice forced open by them, apparently with the object of rescuing Mr. O'Brien, which they said they would do, and in resisting which the District Inspector was injured. The head porter O'Sullivan then came and opened the door demanding tickets. The District Inspector told him that the railway authorities at Blarney were aware that the police had not tickets, and he added that the necessary payment would be made at Tipperary. The mob endeavoured to force its way into the carriage, and as the porter continued there, the officer concluded that he was playing into their hands. He therefore pushed him away, and closed the door. Two shots were then fired

into the carriage, and the officer, believing the attempt was to shoot him, fired two in return, while two other members of the police each fired a shot. O'Sullivan was examined by the District Inspector at Charleville, who has no hesitation in saying that the marks on his face were not caused by a bullet, and this is confirmed by the doctor who attended the man.

MR. T. P. O'CONNOR (Liverpool, Scotland): Has the right hon. Gentleman seen the statement made by Mr. O'Brien on the subject, and in case he has not, may I ask whether Mr. O'Brien was put forward in front of the police, so that if any shots were fired he would, in all probability, be hit first; whether Mr. O'Brien, when the police were preparing to fire, did not draw attention to the fact that the people only desired to shake hands with him, and were not going to rescue him; whether Mr. O'Brien was released on bail two hours after the so-called rescue; and, finally, whether he did not there and then declare that the only shots fired were those by the police?

MR. A. J. BALFOUR: I have not seen Mr. O'Brien's statement on the matter; secondly, the information I have received is not consistent with the allegations made by the hon. Member on behalf of Mr. O'Brien; in the third place, I gather distinctly that shots were fired by the crowd; in the fourth place, it is true that Mr. O'Brien was let out on bail as stated by the hon. Member.

MR. T. P. O'CONNOR: May I ask the right hon. Gentleman from whom his information comes? Does it not come from the officers of the police who are charged, and has he any particulars of the damage done by the shots alleged to have been fired by the crowd? Has he any corroboration of the statement of the police, which has no foundation whatever?

*MR. SPEAKER: Order, order!

MR. T. P. O'CONNOR: I was misled into the use of an improper word; I will only say that at present the statement of the police is unproved.

MR. A. J. BALFOUR: I am not aware that any person was injured by the shots fired either by the crowd or the police, or that the injury to the face of the porter was caused by a bullet. As to where I got my information, the hon. Member has been a Member of this House long enough to know that when a Minister is asked a question the information supplied to him to enable him to answer it is official. It is not my duty to obtain information from any other sources.

MR. T. P. O'CONNOR: The police are charged with having fired wantonly, and the question I put to the right hon. Gentleman was whether the answer came from the persons charged, and if he is satisfied with the statements made to him?

MR. A. J. BALFOUR: As far as I am concerned, I am perfectly satisfied with them.

MR. FLYNN (Cork, N.): Is it not the fact that not a single shot was fired on either side until the train was actually in motion, and when O'Sullivan had given the signal to the guard to move the train on? Is it not the fact that O'Sullivan, the head porter, and another porter have stated on oath that no shots were fired by the crowd; but that a man named Noble was shot by the police in the fleshy part of the thigh, and is now in the infirmary? Further, is it not the fact that the crowd had no knowledge of Mr. O'Brien being in the train, but had come to meet friends who were returning from Cork?

MR. A. J. BALFOUR: No, Sir; I think the last statement is without foundation. I have received no information of any man having been wounded by the police.

MR. FLYNN: He is now in the infirmary.

FATHER M'FADDEN.

MR. JAMES STUART (Shoreditch, Hoxton): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether it is true that it is proposed on the part of the Crown to apply for a further postponement till the Winter Assizes of the trial of Father M'Fadden, and of the Gweedore prisoners charged with being concerned in the murder of Inspector Martin; whether, considering that a number of these persons have been in gaol awaiting trial, bail being refused, since February last, and many of them are poor people on whose labour their families depend for their support, it is intended to continue to detain these persons in gaol until the Winter Assizes; and what reason is assigned for thus

again postponing their trial, seeing that it is so long a time since the alleged offence, and that a considerable period has now elapsed since the charges against them were formulated by the Attorney General?

MR. A. J. BALFOUR: I am advised that, as the case is pending, it would not be proper for me to enter upon the question as to what application the Attorney General for Ireland may deem it advisable to make to the Court.

THE SALVATION ARMY.

MR. JAMES STUART: I beg to ask the Secretary of State for the Home Department whether he has received any information as to the conviction of 17 members of the Salvation Army on Friday, 28th June, for obstruction in Whitchurch, a village whose population is stated to be less than 2,000; whether he can give any information to the House of what the nature of the obstruction was; and, whether the 17 persons are now in prison?

MR. MATTHEWS: I have received a Report from the clerk to the Justices on this case. It appears that the nature of the obstruction was the assembling of a large crowd of persons forming a ring about 43 yards in circumference in the square at Whitchurch, into which five carriage roads lead. The area of the square is about 30 yards square. The presence of this crowd in the square blocked the footway and prevented the free passage of carts and carriages, so that accidents and collisions were likely to occur. Members of the Salvation Army had been convicted of a similar offence on the 31st of May and on the 14th of June. On the 28th of June fines of 1s. and costs were imposed on the 17 defendants, and at the request of their counsel seven days were allowed for payment to enable them to apply for a case. No case has been applied for, and no commitments have yet been issued on the latter convictions.

BURSTING OF A GUN AT SHEERNESS.

MR. HANBURY (Preston): I beg to ask the Secretary of State for War what is the reason assigned for the recent bursting of the 40-pounder gun at Sheerness; how many of such guns are in the hands of Volunteers; and, how many have been issued to them during the last two years?

*THE SECRETARY OF STATE FOR WAR (Mr. E. STANHOPE, Lincolnshire, Horncastle): This gun burst because a shot used at drill had been left in the bore of the gun, and because the examination of the bore before loading (which is required by the Drill Manual) was not properly made. There are 203 such guns in the hands of the Volunteers, of which 37 were issued during the last two years.

IRELAND—JOHN KELLY, LETTER CARRIER.

MR. TUITE (Westmeath, N.): I beg to ask the Postmaster General whether he can state the grounds on which John Kelly, letter carrier, Killygordon, has been dismissed?

*THE POSTMASTER GENERAL (Mr. RAIKES, University of Cambridge): John Kelly was never appointed as letter carrier, or more properly postman, at Killygordon. He was only employed (as he well knew) in a temporary capacity, pending the selection of a man for the vacant post, and his services were, of course, discontinued when the selection was made.

THE RIVER ROBE.

MR. J. F. X. O'BRIEN (Mayo, S.): I beg to ask the Secretary to the Treasury whether the drainage works of the River Robe will be completed without delay, as yearly injury is caused to the farmers living on the banks of that river, between Curraghdine and Crossboyne?

MR. JACKSON: I have made inquiry, and I cannot find that any proposal in connection with the drainage works of the River Robe has been before the Commissioners, or that any such works are contemplated.

MR. J. F. X. O'BRIEN: Have not the Government already expended a large sum of money with the result that the land on the banks of the river is annually flooded, although a very small further outlay would remedy the evil complained of?

MR. JACKSON: I think the question had better be addressed to some other Department. So far as my Department is concerned, we have only to deal with questions which arise after the works have been undertaken.

THE ASSAULT UPON MR. P. O'BRIEN.

MR. GILL (Louth, S.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he has any further particulars to give in justification of the conduct of the police in assaulting and wounding the hon. Member for North Monaghan at Cork Railway Station on Sunday last; and, whether he can now say if any attempt was made to rescue the hon. Member for North East Cork on that occasion?

MR. A. J. BALFOUR: The District Inspector, in the exercise of his duty, ordered the constabulary under his charge to fall in in such a manner as to prevent, as far as possible, any disturbance or any attempt at rescue on the part of the crowd on the occasion of Mr. William O'Brien's arrest. In order to carry out this object he politely requested the Member for North Monaghan to move on. The hon. Member refused, saying that he had no objection to the manner in which the request was made, but he claimed a right to be there. I have no official information as to what subsequently happened to the hon. Member; but, as I have before stated, there was a dangerous rush of the crowd, who had to be repelled with force by the police, and, I presume, it was then the Member for North Monaghan was struck.

MR. FLYNN: Has the right hon. Gentleman received a paper posted to him by myself, from Cork, containing full particulars of the occurrence? Is it the fact that all that was done was that a few persons on the platform cheered Mr. O'Brien and that no disturbance occurred until the baton charge made by the police, who struck at the people all around them, including the passengers who were going by the train?

MR. A. J. BALFOUR: I have no reason to believe that any passengers who were going by the train were batoned by the police, nor, as I gather, was it the fact that no violence was displayed by the crowd. On the contrary, I understand that the police were forced down the platform.

MR. T. P. O'CONNOR: Is the right hon. Gentleman aware of the fact that there was no large crowd there at all, and that Mr. O'Brien's arrival there was not expected?

MR. A. J. BALFOUR: It is a matter of opinion what constitutes a large crowd. I gather that the crowd was sufficient to make the police apprehensive that they would be unable to preserve the peace.

ARMY EXAMINATION PAPERS.

LORD EDWARD CAVENDISH (Derbyshire, W.): I beg to ask the Secretary of State for War whether it is true that at the last examination for Sandhurst an insufficient number of examination papers were provided for the candidates, and that, in consequence, some were placed at great disadvantage in working the mathematical paper; and whether, as it is an open competition, any allowance will be made to those candidates who were placed at this disadvantage from no fault of their own?

*MR. E. STANHOPE: The examinations for entrance to Sandhurst are under the control of the Civil Service Commissioners, who inform me that in one examination room it was found that the mathematical paper was short by two copies of the number of candidates. Copies were supplied after an hour, and, in the meantime, two other copies had been torn in half and given to four candidates. It is believed that no disadvantage accrued to any candidate; but the two candidates who had to begin on the latter and harder half of the paper were offered additional time, of which, however, they did not avail themselves.

SALE OF INTOXICATING LIQUORS ON SUNDAY BILL.

MR. JAMES STEVENSON (South Shields): I beg to ask the First Lord of the Treasury whether, considering the very wide and earnest public interest manifested throughout the country in favour of the Sale of Intoxicating Liquor on Sunday Bill, the principle of which the House has affirmed by reading the Bill a second time, he will give facilities, by Saturday sittings or otherwise, for the Committee and other stages of the Bill during the present Session?

*THE FIRST LORD OF THE TREASURY (Mr. W. H. SMITH, Strand, Westminster): I am very well aware of "the very wide and earnest public interest" the hon. Gentleman (Mr. Stevenson) refers to; but, unfortunately, that very fact contributes to the very

considerable discussion of the question. Looking to the Amendments to the Bill of the hon. Member which have been placed on the Paper, I should have very little hope that it could be disposed of this Session; and I am afraid it will not be in my power to give the hon. Gentleman the Saturday sittings he desires in order that progress may be made with the Bill.

SIR W. LAWSON (Cumberland, Cockermouth): May I ask my hon. Friend the Chairman of the Committee on Petitions what number of Petitions have been presented in favour of the Sunday Closing Bill, and what number against?

SIR C. FORSTER (Walsall): Up to yesterday 4,089 Petitions had been presented in favour of the Bill and 23 against.

EXCESSIVE SENTENCES—CASE OF WILLIAM JULIAN.

MR. BERNARD COLERIDGE (Sheffield, Attercliffe): I beg to ask the Secretary of State for the Home Department whether his attention has been drawn to the case of William Julian, labourer, of Cropwell Bishop, who, on the 13th of June, was charged before the Justices at Bingham, in Nottinghamshire, with being in unlawful possession of 28 partridge eggs on the 2nd of June, in which case, although it was proved that, as to 15 of the eggs, they were given to him by a man called Hardy, and that, as to 13 of the eggs, they were taken from the land of a man named Starbuck by Starbuck's permission, Starbuck being a man having the right by law to take such eggs, according to his own evidence, the Justices fined the man Julian 5s. for every one of the 28 eggs, being the full penalty permitted by law, and in default of payment sentenced him to two months' imprisonment; and, whether, under the circumstances, he will reduce the fine?

MR. MATTHEWS: I must ask the hon. Gentleman to postpone the question.

LLOYD'S PROVING HOUSES.

MR. CUNINGHAME GRAHAM (Lanarkshire, N.W.): I beg to ask the President of the Board of Trade, as Lloyd's public Proving Houses are licensed by the Board of Trade for testing chain cables and anchors, and as they have several Proving Houses in different districts, are the directors, who are directly connected with the above trades, allowed to interfere with or have a preponderating influence over the superintendents (who are appointed by the said Lloyd and Co.) to the detriment of other manufacturers; and if it is true that cables, after being once tested and rejected, and returned, are sometimes allowed to pass no further trial?

*THE PRESIDENT OF THE BOARD OF TRADE (Sir M. HICKS BEACH, Bristol, W.): The tests referred to by the hon. Member are statutory tests. I am not aware that any person can have any influence whatever in regard to the applications of these tests to any chain cables. I am making inquiries as regards the second part of the hon. Member's question, and will communicate the result to him.

GOVERNMENT DOCKYARDS—DISCHARGES OF WORKMEN.

MR. CONYBEARE (Cornwall, Camborne): I beg to ask the Secretary to the Admiralty how many more men are to be discharged from the Devonport and Keyham Dockyards; what proportion of those about to be discharged have been trained in the yards; and what effect upon the men's wages, in the way of reduction or otherwise, has resulted from the shifting of the men in the smiths' shops from one department to another?

THE SECRETARY TO THE ADMIRALTY (Mr. FORWOOD, Lancashire, S.W., Ormskirk): The number of men employed at Her Majesty's Dockyards is regulated from time to time by the executive officers at the several yards according to the nature and extent of the work to be performed, as well as the amount available for wages; and although every endeavour is made to afford continuous employment to efficient men, yet, as I imformed the hon. Member so late as Friday last, changes have occasionally to be made in the number of men employed in each trade, as well as in the total number in the yard. No immediate alteration or reduction is considered necessary. No alteration has been necessary in the men's wages by reason of recent transfers in the smiths' shops, but as a rule the rate of pay depends upon the class of work on which the men are engaged.

GERMANY AND OLD CALABAR.

MR. BUCHANAN (Edinburgh, W.): I beg to ask the Under Secretary of State for Foreign Affairs whether Consul Hewett has yet reported to Her Majesty's Government on the arrest of King Eyo, of Creek Town, within the British Protectorate of Old Calabar, by the Captain of a German man-of-war on the 25th February; and, what is the tenour of his report, and what representations have been made to the German Government on the subject?

*SIR J. FERGUSSON: The Report has been received and representations on the subject have been made to the German Government. Communications are still passing on the subject.

ROYAL WILLS.

MR MACNEILL: Will the Select Committee upon Royal Grants be empowered, under the terms of the Reference, to inquire into and Report upon the expediency, or otherwise, of abolishing the secrecy which now exclusively attaches to the last wills and testaments of Royal personages?

*MR. W. H. SMITH: The subject to which the hon. Member refers will not be in any respect within the reference to the Committee, nor will it arise out of the proposal which the Government will have to make to the House.

EGYPT—THE DEFEAT OF THE DERVISHES.

SIR W. LAWSON: Can the Secretary of State for War give the House any information as to the slaughter of Dervishes?

*MR. E. STANHOPE: I communicated to the newspapers this morning the telegrams which had been received on the subject of the defeat of the Dervishes, and I will take the same course in the case of any further information that may come to hand.

LARCENY ACT (1861) AMENDMENT (USE OF FIREARMS) BILL [LORDS.]

Read the first time; to be read a second time upon Monday next, and to be printed. [Bill 309.]

ORDERS OF THE DAY.

MESSAGES FROM HER MAJESTY. (PRINCE ALBERT VICTOR AND PRINCESS LOUISE OF WALES.)

Queen's Messages [2nd July] considered.

Messages again read—

*MR. W. H. SMITH rose to move—

"That a Select Committee be appointed to consider Her Majesty's gracious Messages, and to inquire into the former practice of this House with respect to provisions for members of the Royal Family, and to Report to the House upon the principles which in that respect it is expedient to adopt in future."

The right hon. Gentleman said: In rising to move the Motion which stands in my name, I trust that at this stage, at all events, in the consideration of Her Majesty's most gracious Messages, the House may be unanimous in the conclusion at which it will arrive. I shall be exceedingly sorry if the House should refuse to refer to a Committee the consideration of the question raised by Her Majesty's gracious Messages, having regard to the fact that on a previous occasion in the course of present Parliament I have undertaken that such a Committee as that which I now propose should be appointed. It may be a matter of complaint among some hon. Gentlemen that a Committee was not previously appointed. Well, Sir, for whatever blame may be attached to the non-appointment of the Committee I am personally responsible. I take the blame upon myself entirely, if blame is to be attached to any one; but I do not consider the course I have taken is in any way open to censure. I have undertaken that a Committee shall be appointed to consider the question of grants to members of the Royal Family, and I entirely comply with the undertaking into which I have entered in asking the House to refer Her Majesty's Messages to a Committee of the House, instructed at the same time to consider the principles upon which provisions of this character should be made for members of the Royal Family. Whether it be so or not, I trust that the consideration of Her Majesty's Messages will not be the occasion of any dispute or difference. The Government desire that the question shall be ex-

amined with the care and consideration which are demanded by the grave matters which are involved, and with the dignity which should attach to the Royal Family in this country, and to those who stand at the head of the State. The idea of family is predominant in the minds of all which have the happiness to be subjects of the Queen. Around the sentiment of family centres all that is good, pure, and useful in the Constitution of this country. Therefore, the Royal Family should stand at the head of the State as one which may offer an example to those in more humble station in the discharge of their duties. In asking that this question may be referred to a Committee, I may say, at all events, that there has been no precipitation on the part of Her Majesty or of the Prince of Wales in asking for provision for the eldest son of the Heir to the Crown. I doubt whether in the history of England there is any occasion on which a Prince standing in the position of Prince Albert Victor has not received provision adequate to the discharge of the duties of that position before he attained 26 years of age. If I refer briefly to the request which has been conveyed to Parliament for an allowance for the Princess Louise of Wales, I think I may claim that the conditions under which that request is made appeal to the sympathies and to all the best feelings of the English people, inasmuch as we are aware that the marriage about to be contracted is not dictated by dynastic considerations, but is one of affection, and one which offers every reasonable promise of happiness to all concerned. I refrain from addressing to the House any of those considerations which have been urged on former occasions in support of the Motion. If it become necessary to do so, it will probably be when the Report of the Committee is presented to the House. All I desire to do now is to express the hope that the Resolution I have placed on the Paper will receive the unanimous support of the House.

MR. GLADSTONE (Edinburgh, Mid Lothian): I rise to second the Motion. It has been my duty to be responsible in Office for proposals within the region of the present proposed Reference. I am bound to say I regard with great satisfaction the improvement that has been made upon the practice pursued by former Governments, including those to which I belonged, in making proposals directly to the House of Commons in respect of the younger branches of the Royal Family without the intervention of a Parliamentary Committee. The intervention of a Committee is recommended by the important precedents when, in 1830 and 1837, the Civil Lists both of King William IV. and her present Majesty were settled; and I think that by a just and solid analogy the same considerations which recommended the appointment of a Committee in respect to the Civil List of the Sovereign likewise essentially enter into and determine the question in favour of the appointment of a Committee in cases where we make provision for the members of her illustrious family. I join in the regret that this Motion for a Committee has not been made at an earlier period. I think that the right hon. Gentleman has been personally chivalrous in appropriating to himself individually the blame that may be due to the postponement of the inquiry; but it appears to me that we cannot accept that generous offer of the right hon. Gentleman. What responsibility there may be in the matter must be shared by his Colleagues. I am not able to admit that the state of business in this Session has been such as altogether to account for the delay that has taken place. At the same time, I do not propose to enter into the subject in any controversial spirit, because I join in the hope expressed by the right hon. Gentleman that the Motion may be accepted by the House with unanimity on account of the nature of its contents. The right hon. Gentleman, I think, is quite justified in observing that the period of life attained by his Royal Highness Prince Albert Victor is one which fully warrants an application on behalf of the Crown and the Prince of Wales to Parliament with reference to his future support; and likewise the other matter contained in the communication from the Crown which has led to this proposal reminds us that on this occasion, as on others, the Royal marriage which is about to take place is founded as much on affection and attachment as if it occurred in any other portion of the community. I agree that this is not an occasion on which we

ought to enter at length upon the considerations which may recommend any particular course to be taken by the House. The Reference to the Committee which the right hon. Gentleman asks us to make is, I think, ample in breadth and imposes no undue limitation on the discretion of the Committee. I make no doubt that it will be a Committee carefully and comprehensively chosen, and one the judgment of which will carry weight with the House. The operation or method of the Committee on the occasions of 1830 and 1837 was, I think, eminently satisfactory, and, while it tends to maintain the full jurisdiction of the House and to insure the careful examination of the subject, I believe it is also more favourable to the due application of all those ideas which lead us to desire that the Crown, and all that belongs to the Crown, should be maintained in due efficiency and dignity, so far as it depends on the grants of this House. With these few observations, I will only say that I very cordially join in the proposal of the right hon. Gentleman, and in the hope that it may be accepted unanimously.

Motion made, and Question proposed,

"That a Select Committee be appointed to consider Her Majesty's Gracious Messages, and to inquire into the former practice of this House with respect to provisions for Members of the Royal Family, and to report to the House upon the principles which in that respect it is expedient to adopt in the future."—(*Mr. William Henry Smith.*)

MR. LABOUCHERE (Northampton): I always look with a considerable amount of suspicion on anything that emanates from the present advisers of Her Majesty, and I confess that the circumstances under which this Committee is proposed, and the delay that has taken place, only strengthen that suspicion. In 1885 a proposal was made by the right hon. Member for Mid Lothian (Mr. Gladstone) for a grant on the occasion of the marriage of the Princess Beatrice. On that occasion I opposed the grant; and one of the grounds urged by the right hon. Gentleman for making it was that the Princess Beatrice was the last child of Her Majesty, and that it was a desirable thing that a Committee should be appointed in order thoroughly to examine the whole question in regard to all possible future grants. The right hon. Member for Mid Lothian, speaking in May, said it was then too late in the Session for the Committee adequately to enter into so large and important a question. But now we are in the month of July, and it is somewhat surprising that if it was too late, then it should not be too late now. Unfortunately in 1886 the right hon. Member for Mid Lothian was not in a position to move for a Committee, but if it was too late to appoint one in May, it does seem strange that we should now be asked to appoint one in July. What on this occasion has been the action of the First Lord of the Treasury? I am bound to say that the First Lord of the Treasury has practised a certain amount of evasion on this subject. This is not the first Session that the right hon. Gentleman has occupied his present position. On April 15th, 1887, the right hon. Gentleman said it was his intention to appoint a Committee after Whitsuntide. On July 4th, 1887, he said the Government found it impossible to appoint the Committee until early the next Session. In 1888, again, he said the pressure of business was such that he did not see his way to appoint the Committee. In June in that year, in answer to my hon. Friend the Member for Dundee (Mr. Robertson) he said that the subject was engaging the serious attention of the Government, and that they intended to report upon it to Her Majesty. On the 6th of August the right hon. Gentleman said that the communications between the advisers of the Crown and Her Majesty as to these grants were not concluded, but he hoped to be able to make a statement on the subject to the House early in the following Session. On the 22nd of February he said, "it is our intention"—the right hon. gentleman seems to have been paved with good intentions—"to appoint a Committee." On March 18 in the present year the right hon. Gentleman said he would proceed with the Motion as soon as the state of public business permitted; and on April 16 he stated that as soon as there was a reasonable hope of being able to proceed with the Motion he would put on the Notice Paper the terms of the reference to the proposed Committee. He further said that it was not a matter of urgency, as there was no immediate intention to apply to the House for a grant which would come within the definition given by the

right hon. Member for Mid Lothian. When the Royal Message came down to the House two days ago, I myself asked the First Lord of the Treasury whether the question would be referred to a Select Committee, and what would be the terms of the Reference; and the right hon. Gentleman told me he would give an answer to-day. We only knew the terms of the Reference this morning, and the House is asked to agree to them at once. What is the position of the House in the matter at the present moment? The Royal Message invites us to provide for two of the grandchildren of the Queen. The Message has been sent down by Her Majesty no doubt by the advice of her responsible Ministers. The question, therefore, whether grants ought to be made to grandchildren of the Queen is already prejudiced. I have always understood that the Committee was to consider whether there should be such grants or not. It is to be a Select Committee, and we know there will be a majority taken from the Ministerial side on the Committee, and that that majority will be increased by friends of the Ministry sitting on the Opposition Benches; so that the real opponents of the Government will be almost an infinitesimal minority on the Committee. Then I ask the House, is it at all probable, or reasonable, to suppose that, after the First Lord of the Treasury has advised Her Majesty to ask for grants for two of her grandchildren, a Committee so constituted will enter without a foregone conclusion on the consideration of the question whether the grants ought or ought not to be made? It seems to me that that tardy fulfilment of the pledges of the right hon. Gentleman is simply an attempt to shift responsibility from the Government. Let us look at the terms of the Reference. They are large. Will the Committee carry out in their entirety these terms—

"That a Select Committee be appointed to consider Her Majesty's Gracious Messages, and to inquire into the former practice of this House with respect to provisions for members of the Royal Family, and to report to the House upon the principles which in that respect it is expedient to adopt in the future."

I apprehend that Her Majesty herself is a member of the Royal Family. Is the Committee to look into the Civil List as well as grants to members of the Royal Family? I have always contended that the Civil List is a free grant to Her Majesty to maintain the honour and dignity of the Crown. The Civil List is divided into six classes, and if there is an excess in one class and a deficit in another the excess goes to meet the deficit, but if there is an excess in one class and no deficit it is laid down that the excess shall be paid into the Treasury. Thus, if there is any money in excess of what Her Majesty deems necessary to maintain the honour and dignity of the Crown, it should be given back to the Treasury. We have a legitimate claim to ask whether there has been any excess, and, if so, what has become of it. I do not say we ought to do so, but for the fact that there is a demand for a greater amount of money. We have a right to inquire whether Her Majesty has the means to provide for her Family, and whether Her Majesty comes to the House of Commons because she has not the means to provide for her Family, or whether she asks the House to provide for Her Family because she thinks the House and not Her Majesty ought to provide for Her Majesty's Family. I take it that will come within the terms of the Reference, but as the Government will have a majority on the Committee, I will ask what the intentions of the Government are upon that matter? The right hon. Gentleman has referred to "the idea of the family," and to "sentiment." Now my own idea of a family is that the head of it keeps his children. I think I will not be accused of an undue leaning to sentiment in that idea, which is the natural idea of a family. A case must be made out to show that all the money has been expended for the honour and dignity of the country, and that there is not enough on the part of Her Majesty and the Prince of Wales to keep their children. No doubt these views have been ignored when grants have been given to the children of Her Majesty. At the present moment the grant to be considered is not one to the children of Her Majesty, but to a new generation, and if we are not now to go into the question of whether there is already sufficient money granted to the Royal Family, I do not know under what circumstances we ought to go into it. The right hon. Gentleman has alluded to the Prince of Wales, and he

said they are children of the Prince of Wales for whom this money is voted. Well, if we go back to precedents Prince Frederick of Wales only had the receipts of the Duchy of Cornwall. We now pay an annuity of £50,000 to the Prince besides £10,000 to the Princess of Wales. Up to 1838 the amount received by the Prince of Wales from the Duchy of Cornwall was £11,536, while in 1887 the amount was £60,563, so that his Royal Highness receives £49,000 per annum in excess of what Parliament anticipated would be his income when they calculated what that income should be. No doubt functions are performed by the Prince of Wales which are usually performed by the Chief of the State; but I hold that the Chief of the State should pay for that. We provide £700,000 per annum for the Royal Family. For the children of Her Majesty £200,000 per annum has been provided; that is, £194,000, and the remainder for the maintenance of the palaces they reside in. Besides that, on various occasions, such as marriages, large lump sums have been provided for members of the Royal Family. The total received by the children of Her Majesty and by the late Prince Consort has been £4,961,083, and that is a very great deal. My contention is that the children ought to have been provided for out of the Civil List. In this case we are asked to provide for the children of the Prince of Wales who ought to have been provided for out of the savings of the Civil List or by the Prince of Wales himself. I and my friends think £200,000 per annum is quite sufficient for the members of the Royal Family, exclusive of Her Majesty; a great many, including myself, think it a great deal too much, and we object to granting any more. The House will see I do not attach any great or undue importance to the Committee proposed by the right hon. Gentleman. The question has been prejudiced by the action of the right hon. Gentleman himself. The Committee is a sort of sop to make the grants more palatable to the House, but I do not think it will do so. If the Committee is to command any respect, the names ought to be looked at, and if it is to go into the question in its entirety there ought not to be too many officials upon the Committee. I do not reject the Committee, but think it only reasonable that I should say that I and my friends look to it rather as a means of forming our own judgment on the *data* submitted to it; and if the inquiry is thoroughly gone into we are ready to accept the fact if it is proved that there is not sufficient money already to maintain the state and dignity of the Royal Family. We are not, however, prepared to accept the Report of that Committee, which will be a Conservative Committee, and we shall in all probability feel it our duty to contest the two Bills which will be brought in in all their stages. In conclusion, I would ask the right hon. Gentleman whether he will give full notice of the names of the Committee, and whether he will give an assurance that if the Committee reports, as of course it will, in favour of granting a sum of money, the Bills will not be proceeded with until all the proceedings before the Committee are in print and submitted to the House.

*MR. BRADLAUGH (Northampton): I am not quite in accord with my Colleague. I do not think the terms of Reference are as large as he seems to think them. I am not at all sure the Committee would be entitled, as I desire they should, to inquire into the Civil List, or to examine whether any savings have been made or not on any of the classes. I propose, therefore, to insert after the word "the," in line 2, the words "Civil List of Her Majesty and the," so that the Reference will read—

"That a Select Committee be appointed to consider Her Majesty's Gracious Messages, and to inquire into the Civil List of Her Majesty, and the former practice of this House—"

and so on. All I desire is to make it clear how far this Select Committee is in fulfilment of the pledge originally given to the House by the right hon. Gentleman the Member for Mid Lothian, and reiterated by the First Lord of the Treasury.

Amendment proposed, after the word "into," to insert the words "The Civil List of Her Majesty, and."—(*Mr. Bradlaugh.*)

Question proposed, "That those words be there inserted."

MR. PICTON (Leicester): I think the Amendment an exceedingly proper one, and I am prepared to support it, but I do not know that, even when amended,

I shall support the Resolution as a whole. Again and again the House has been promised that the whole subject will be considered by a Select Committee before any grant is asked for. It is an invidious thing to re-consider the emoluments attached to an office when a new appointment is about to be made, and it will be a very invidious and painful thing to have these two applications to the House, with all the personal interest associated with them, laid before a Committee. I object to the Reference to the Committee. We ought to have had an open Reference so that the whole question might be considered. Under the Reference of the Government, however, the whole question will be settled and removed from the cognizance of the House of Commons for a whole generation, and the words are so constructed as to imply a continuance of the present system. I could not consent to a proposal which will give one penny more to any member of the Royal Family, except the Sovereign and the Heir Apparent. The right hon. Gentleman and his Colleagues, of course, have their way in the matter. They have a majority; and if they are so misguided as to insist upon their proposal they can carry it. The House, however, ought to think of the relations between the Throne and the people, and take care not to allow any element of bitterness to be introduced into those relations. I challenge contradiction when I assert that there is positively no subject whatever which excites more indignation, more repugnance, and I will say, more abhorrence, than the practice of voting doles and dowries to members of an illustrious family, who are believed to be otherwise exceedingly well, if not extravagantly, provided for. The Government may succeed in carrying their proposal, but they will live to regret it. The Republicans, who are looked upon as a small and insignificant faction, are capable of rapidly swelling their ranks, and nothing is more likely to do it than the increase of these grants. I represent at this moment some 150,000 inhabitants of the town of Leicester, and I contend that at least three-fourths, and probably five-sixths of them, are opposed to any such proposal as that made by the Government. I believe the same may be said of Northampton, and that great centre of population, Birmingham. If there is anything which will revivify again the Radicalism of Birmingham, it is a proposal such as this. I defy any one to call together in any large town a meeting of independent working men and to obtain their sanction to a proposal to give any more money to any member of the Royal Family, except the Sovereign and the Heir Apparent. I therefore urge hon. Members to beware how they vote upon this subject. Besides, the present is a very inopportune time to bring the matter forward, because we are all tired out. ["No."] Hon. Members who have not been in their places do not know the fatigues of the Session. To insist that this great question should be hastily scamped when we are tired out is not what we expected from a Ministry faithful to the best interests of their country. I shall support the Amendment, but, if any one will support me, I shall go into the Lobby against the whole Resolution.

*Mr. W. H. SMITH: I think it is only due to the House that I should at once rise and state that the Government are not in a position to accept the Amendment. I have said more than once in this House when questions as to the appointment of a Committee were put to me that the Government do not contemplate an inquiry into the Civil List. We regard the Civil List as a compact with the Crown on the accession of the Sovereign, and as one which it will be an absolute breach of faith for Parliament to depart from. It is capable of revision on the demise of the Sovereign, and then will come the proper time for the consideration of the question raised by the hon. Gentlemen below the Gangway. Now, I wish to state most emphatically that the Reference we now propose does not, in our judgment, include an examination into the expenditure on the Civil List. I contest the remarks which fell from the hon. Member for Northampton (Mr. Labouchere) as to the actual interpretation of the Civil List Act itself. That, however, may be a question for consideration by the Committee if it should arise. But I say distinctly that there never was a provision for any surplus of expenditure under the Civil List being paid to the Treasury. What is involved in the Civil List is that if there is a deficiency in the expenditure of the year, and Her

Majesty is therefore unable to meet her engagements, then application is to be made to Parliament for a grant to extinguish that deficiency. But, much to the honour of Her Majesty, no such deficiency has arisen in past years and no application has been made to Parliament for assistance of that character. The hon. Gentleman thought it right to refer to the revenue of the Duchy of Cornwall, and took the year 1838 from which to proceed. Does the hon. Gentleman remember that the Prince of Wales was not born in the year 1838, and that the settlement made on the Prince of Wales must have been at least 22 years after that year; and that, therefore, any provision which it was thought expedient and right by Parliament to be made then was made with a full knowledge of the then revenue of the Duchy of Cornwall, and after a full consideration of the whole of the circumstances? The hon. Member for Leicester has thought it right to address a warning to Members on this side of the House as to the feelings of the constituencies on this matter. I think it is possible he may be deceived as to the general feeling even in his own constituency, and certainly as to those constituencies with which he is not so well acquainted. I can only say that I am confident the people of this country are no less devoted to the Sovereign, and no less ready to support proposals made in moderation, after due consideration of all the facts and circumstances of the case, and after an examination, by a competent, and, as the right hon. Gentleman the Member for Mid Lothian suggested, a representative and considerable Committee of this House, they will be no less willing to support these proposals now than they have been in the past. I believe there never was a period when it was more universally felt that each and all of the members of the Royal Family had discharged the duties of their high station with a full sense of their responsibility.

SIR W. HARCOURT (Derby): The right hon. Gentleman has stated what is undoubtedly true, that this House could not disturb the settlement of the Civil List made at the commencement of the reign, nor could the House properly undertake to determine the principle of the settlement of any future Civil List. That will be a matter for the decision of the Parliament by which such a settlement has to be made. In reference to the Amendment moved by my hon. Friend the Member for Northampton, I do not imagine that his object is to do either of those two things. If that were his object, I certainly could not agree with him, and if it be not his object, I think the Amendment is entirely unnecessary. I see nothing in the terms of the Reference to the Committee to exclude from the consideration of the subject the question of how the settlement of the Civil List at the commencement of the reign has operated as affecting these grants. If that is so, I think every legitimate object which my hon. Friend the Member for Northampton contemplates is amply provided for in the terms of the Motion itself. I therefore hope my hon. Friend will not press the Amendment.

*MR. BRADLAUGH: The House will perhaps allow me to explain, in answer to the appeal which has been made to me, that I have no intention, by the words of the Amendment, to suggest that the Committee could or would have power to deal with the Civil List as now enacted, but I do intend that the Committee should have power to inquire what have been the savings in each branch of the Civil List, with the view of seeing whether any sum, and if so, whether a large sum, has been saved. If there has been a large saving, that might modify the opinion of the Committee as to any further provision. I am unable to accede to the appeal made by the right hon. Gentleman the Member for Derby, because I have been met with the absolute refusal of the Government to allow this question to be referred to the Committee.

*MR. W. H. SMITH: Perhaps I may be allowed to say that I do not consider it would come fairly within the Reference to the Committee to inquire whether during the 52 years the Civil List has been in operation there have been any savings.

MR. STOREY (Sunderland): Holding the views I do on forms of Government, I might personally be not unwilling that such discussions as this should take place once a year or oftener, and yet I have such great regard for the public dignity of this great empire that I am perfectly willing that a Committee should

be appointed, and that the result of the appointment should be to put things on such a basis that these discussions should cease. But the Committee ought to be a real Committee; it ought to be an unprejudiced and fair Committee, and its conclusions ought not to be prejudiced by the fact that it has to consider the specific demands now made by the Government. Referring to the particular point raised by my hon. Friend the Member for Northampton, I agree with him entirely that in coming to a conclusion as to what sum of money ought to be granted to the grandchildren of the Queen, we have fairly a right, as guardians of the public purse, to take into account what are the means of the Queen. The means of the Queen are various. Her Majesty has a Civil List which is stated at £385,000 a year. We all know that the Queen does not get any such sum, and I have often thought it a little unfair—perhaps I have sometimes myself been a little unfair—to state anywhere, or let it be understood that her Majesty receives the £385,000. As a matter of fact, she receives only some £60,000 odd of the money. A great deal of the £385,000 goes most unnecessarily and improperly to a great number of personages who could well afford to do without it, but who are not ashamed to take it, for the fulfilment of offices which I, for one, confess I should feel it an indignity to my manhood to fulfil. But Her Majesty the Queen has other means. It is notorious that in various ways she has large private means. With these I have nothing to do, and I do not begrudge them to Her Majesty. I hope she will live long to enjoy them, and have more and more of them. But what I want to press home to the Liberals, and even to the Conservatives, who used to be the custodians of the purse of this country, is that since Her Majesty had the Civil List granted to her, there have been, as I suppose, and in many instances know, large savings, which have accumulated until they form an enormous sum of money, producing a considerable revenue. I charge it upon the present Ministers, and especially upon my hon. Friend the Secretary to the Treasury—and I make the same complaint against former Ministers on the Liberal side of the House—that, whereas the accounts in every Department of the State are made up to the 31st of March in each year, that being the last day of the financial year, the Civil List account, in defiance of practice and against the law, is made up each year to the 31st of December. The account is never publicly audited; it is audited, but the audit never comes before the House, so as to enable hon. Members to see what balance remains at the end of the year. On the 31st of March there is no balance apparent except a floating balance which is carried forward, and which the House cannot examine or decide upon. If I am wrong, it is important that the guardians of the public purse should make the truth apparent, but I believe that large sums have been accumulated by the Queen and invested, and that in consequence of the addition thus made to her income, taking into account the proceeds of her own private means, Her Majesty is in a position to provide amply for the younger branches of the Royal Family. I do not want to say anything offensive, but I do think it is beneath the dignity of the Royal Family to come to the House of Commons for these small sums. It destroys the kindly sentiments that ought to exist between Prince and people. On the side of the Prince there ought to be nothing but the sentiment arising from services rendered, and on the side of the people the sentiment of gratitude. But we have these unfortunate calls for money made upon Parliament from time to time. From whom does the money come? If I could extract the £3,000 or £10,000 a year from hon. or right hon. Members of this House, if I knew how to obtain a direct contribution from the noble Lords in Waiting, and the Grooms of the Stole, and the other titled and untitled persons who surround the Throne, and who pretend that it is necessary that the public should pay them, I should be perfectly willing to grant it to the Royal Family. But I am not willing, when I remember that the money comes not only from the rich and well-to-do, but that every widow in the land has to give her dole, and that the million families who, at this moment, in this country, are but one stage removed from pauperism and starvation have to contribute something, so that a Royal Prince may have £10,000 a year for doing nothing, and a Royal Princess—to whom I wish every happiness—may have £3,000 a year when she

is going to marry a nobleman who, being in the possession himself of enormous resources, and loving his wife that is to be, surely ought to resent the notion of going to the working people and asking for a contribution towards his support. If the Committee would be untrammelled in its inquiries, I should have voted for it, but as it is to be so limited, even although the Motion has the support of the right hon. Gentleman the Member for Mid Lothian and his colleagues, I feel it is nothing better than a sham, and I cannot support it.

MR. GLADSTONE: I accept with becoming modesty the censure of my hon. Friend who has just sat down. He has alluded to what he describes as the illegal arrangement under which the accounts of the Civil List are made up to the 31st of December, while the accounts of the State in general are made up to the 31st of March. If we were discussing that matter I should say there was no reason in the world why the two accounts should not be made up to the same date, and I certainly should think it an inexpedient and unbecoming arrangement that the accounts of the Civil List should be presented to Parliament annually as if they were a portion of the public expenditure. But, apart from what I may think is proper, there is the law, to which my hon. Friend very properly appeals, although I am afraid he he has not read it accurately. In the Act I find a provision for bringing to the knowledge of Parliament any deficiency that may occur in the revenue from the Civil List, and that provision is to the effect that the account must be made up to the 31st of December in each year. I apprehend that if under these circumstances the accounts were up to the 31st of March that would be a breach of the law. Now, Sir, I cannot help thinking that the discussion has travelled over a very wide area, but points of undoubted importance and strict relevance have been raised. I think it would be wise to bear in mind that before a shilling of the public money can be voted, in consequence of any Report that can be made by any Committee, the proposal will have to be submitted to the House in due form and pass through all its stages. What I think is strictly relevant is that the House should be satisfied as to the discretion of the Committee, and should know that the Committee will not be limited in its inquiry, or be precluded from paying attention to any matter which may be considered relevant to the charge entrusted to it. I think it is somewhat hard on the right hon. Gentleman the First Lord of the Treasury that he should be required, at a moment's notice, to give his impressions as to what the Motion does or does not contain, and it is entirely consistent with the respect we all feel for him to say that the interpretation of the Motion will not and cannot depend on the opinion which the Leader of the House or any Member of the House may hold as to the scope of its terms. The hon. Member who has just sat down contends that the Committee ought not to be precluded from examining, if it should think fit, what may be the means at the disposal of her Majesty—the means other, of course, than the Parliamentary provision of £385,000 and the revenues of the Duchy of Lancaster.

MR. STOREY: Certainly not as regards the Duchy of Lancaster.

MR. GLADSTONE: Then I misunderstood the hon. Member. But what I wanted to observe was that when the Committee is appointed it appears to me that any individual on the Committee will be at perfect liberty to say, I will not consent to give additional sums of public money for the support of members of the Royal Family until I have had some knowledge of what are the means already at the disposal of the Royal Family, of course including, as the Head of the Royal Family, the Sovereign herself. I am very glad to find there is an entire disclaimer in all parts of the House, and on this side of the House particularly, of any disposition to disturb the Civil List, which was a solemn compact between the Crown and Parliament, although there is a reasonable anxiety that the Committee should not be precluded from asking questions on matters which are deemed relevant to the subject. It is my most firm conviction that it is impossible to preclude them from asking such questions, and, moreover, that the substantial consideration of the means already at the disposal of the Royal Family is a matter which it is impossible, either on grounds of reason or on Constitutional grounds, or on the terms of the Reference, to exclude from the view of Members of the Committee

who deem it their duty to put questions on the subject. In justice to the interests involved in this case I deem it my duty to make a correction of a statement which I believe was made by my hon. Friend the senior Member for Northampton (Mr. Labouchere). I think he said that in the case of Prince Frederick of Wales the only public income possessed by that Prince was the revenue of the Duchy of Cornwall. Unless I am much mistaken, he has been very much misled on the subject. In 1729 the Prince, I believe, received £24,000 out of the Civil List. In 1736 that £24,000 became £50,000 a year. In 1743 the £50,000 became £100,000 a year, in addition to the revenue of the Duchy of Cornwall. At any rate this ought to be taken into view, that while the habits of society have in the course of years become more and more expensive, and, as I may say, luxurious, there has been a large decrease in the grants voted by the House for the support of the Royal Family. Unless I am very much mistaken, independent of occasional applications for assistance, of which, happily, we now hear nothing whatever, the grants in the reign of George III. to the different members of the Royal Family other than the Sovereign amounted to no less than about £500,000 a year. At the present moment I think about £170,000 is the amount actually paid. This is a liberal, but I do not think it an extravagant amount. I do not want to limit—on the contrary, I wish to assert, the title of this House to inquire into everything relevant to the subject; but I think that, among the many items of public expenditure to which hon. Members refer in giving to their constituents accounts of their conduct, there is one which can be defended—namely, that of becoming allowances to Members of the Royal Family.

MR. LABOUCHERE, rising amid cries of "Divide," said: Hon. Gentlemen opposite, who manifest so much impatience, are, I know, going to share in the grant, as they are going to a party at Marlborough House. I wish to ask the First Lord of the Treasury whether the interpretation he has given of the Reference was given on the spur of the moment, or whether the House is to understand that the matter has been discussed with the right hon. Gentleman's Colleagues, and the interpretation is to be regarded as a Government interpretation?

*MR. W. H. SMITH: I do not think the hon. Gentleman has any reason to ask me that question. What I say in this House I say with a sense of my responsibility and my duty.

The House divided:—Ayes 125; Noes 313.—(Div. List, No. 174.)

Main Question again proposed.

MR. STOREY: I will not trespass on the time of the House for more than a moment. I stated earlier that I should oppose the appointment of this Committee as a sham; but I am satisfied with the Division we have had, a satisfaction that is, I think, shared by all who took part in it, and so as the weather is hot and the garden party is waiting, I shall content myself with simply saying "No" to the proposal.

Question put, and agreed to.

Ordered—

"That a Select Committee be appointed to consider Her Majesty's Gracious Messages, and to inquire into the former practice of this House with respect to provisions for Members of the Royal Family, and to report to the House upon the principles which in that respect it is expedient to adopt in the future."—(*Mr. William Henry Smith.*)

Ordered, That the Messages be referred to the Select Committee.

MESSAGE FROM THE LORDS.

That they have agreed to Consolidated Fund (No. 3) Bill; that they have passed a Bill, intituled, "An Act to amend and consolidate the Factors Acts." [Factors Bill.] [*Lords.*]

COAL DUTIES (LONDON) ABOLITION BILL.

Order read, and Motion made, "That the Bill be now read a third time."

MR. PICKERSGILL (Bethnal Green, S.W.): I rise to oppose the Bill at this its last stage, and I do not think I shall be acting unreasonably if I recall the pledges of the Government with regard to this matter at an earlier period of the Session, and show how they have been fulfilled. On the 25th March last, the hon. Baronet the Member for the Barnard Castle Division (Sir Joseph

Pease) asked the First Lord the following question:—

"Whether he had noticed that at a recent meeting of the London County Council, that Council declared its opinion, by a majority of 76 votes to 34, 'That it was inexpedient to renew the London Coal and Wine Duties Act,' which was to expire in July, and the hon. Baronet asked whether Her Majesty's Government were still of opinion that that Act should not be renewed."

Now, before I give the First Lord's reply to that question I should like to point out how the hon. Baronet plays fast and loose with the County Council. At one time he puts the decision of the London Council Council on this coal question in the fore part of his argument, and at another time he tramples on the opinion of that Council with contempt. Well, this is what the First Lord of the Treasury said in reply:—

"The Government adhere to the view that they have repeately expressed, that this is a question primarily for the decision of the Metropolis itself, and they will not, therefore, take any steps to bring about a renewal of the Act in question."

Now, I confess I am at a loss to see how the right hon. Gentleman can honourably reconcile that pledge with the action he took a fortnight ago, and yesterday, and again to-day, having regard to the position he has given this Bill in the order of business. The plea has been put forward of urgency, amounting almost to necessity, but who is responsible for a considerable measure of the delay that has occurred? What are the facts? The Second Reading of this Bill was taken on Wednesday, May 22nd, and it was not until Friday morning of the following week that the promoter of the Bill placed upon the Notice Paper his motion for the appointment of a Committee. I have no doubt the interval was fruitfully employed. It was used, no doubt, in negotiations between the hon. Baronet on this side (Sir Joseph Pease) and the hon. Baronet who represents the City on that side (Sir R. Fowler), and also, as some of us know, in the comings and goings of the City Remembrancer and other too familiar features of the progress of the intrigue between the City of London and Members of this House. Last evening we had the advantage of hearing, besides the speech of the hon. Member for St. Pancras, who we are informed was in a minority of one on the Committee, speeches from the hon. Member for Peckham (Mr. Baumann), and the right hon. Member for Leeds (Sir Lyon Playfair). As regards the speech of the hon. Member for Peckham, who is so far as I can see not now present, I need not say much, but this I think I may say, that an hon. Member who deliberately makes the statement that the Charters of the City of London have been confirmed by statute shows that he has not even grasped the A B C of this question. One word in regard to the speech of the right hon. Gentleman the Member for Leeds. I venture to think that the right hon. Gentleman scarcely spoke with his usual ingeniousness, at all events I am sure he did not speak with scientific precision, for he quoted the mere gloss put by the ingenuity of a City official upon an Act of Parliament as if it were the Act of Parliament itself. We were told that these bonds for the repayment of money borrowed in connection with the Holborn Valley improvement were issued on the security of the prescriptive rights of the City. Well, what are the terms of the statute as to security? That primarily the security should be the statutory duty of fourpence, and secondarily the security was to be the estates and revenues of the Corporation. Nothing is said and nothing was intended to be said at that time by either party as to alleged prescriptive rights of the Corporation. It is not my purpose to detain the House. Last night we had the advantage of hearing what I am sure I shall have the concurrence of hon. Members in describing as the masterly treatment of the subject by my hon. and learned Friend the Member for Dundee (Mr. Firth). That speech has not been answered, and personally I retain the opinion that it cannot be answered, but as an actual fact no answer has been made to it; that speech continues to hold the field. Now, therefore, because I feel that I could not add a single word on the merits of the question so ably dealt with, I only desire further to point out that from the speech of the hon. Member for St. Pancras, and the undisguised corroboration supplied in the speeches of the hon. Member for Peckham and the right hon. Gentleman the Member for Leeds, it is perfectly apparent that this Committee did not pursue the instructions given to it, that

it did not ascertain and declare the value of the rates claimed by the Corporation of the City of London, and in the second place did not adequately investigate the mode in which the money was expended, and in the third place that it did not, except in the most slovenly and perfunctory manner, ascertain the precise amount of the debt now due. We can only protest and we do protest against this proposal on its merits, and I may say almost that we protest still more strongly against the manner in which this scheme is forced through the House.

MR. HOWELL (Bethnal Green, N.E.): I beg to move that the Bill be read a third time this day three months. I will not go over the ground already traversed by the previous speaker, but I feel it my duty once again to call attention to the manner in which the Bill is being hurried through. The fact is, it was sprung upon the House in a manner not creditable to the Government or Members on this side, who took part in the transaction. It was hustled into existence as the result of an unholy alliance between the London Corporation and some of the Northern coalowners for their own special benefit. For this reason among others I shall continue my protest. This is an unexampled case of a Bill founded on the Report of a Committee being hurried through the House of Commons, not only without Members having a copy of the evidence, but even the Report of the Committee is not attainable. I have inquired over and over again for the Committee's Report. Under other circumstances there is no difficulty in having a Report circulated among Members the following morning, but the keeping back of this Report is significant and suspicious when we remember the whip circulated among Members. There are other circumstances of an extraordinary character in connection with this Bill. The hon. Members who are promoting this Bill made up their minds to print and circulate copies of the report of the Debate on the Second Reading, but singularly enough I received only yesterday by post a copy of the report of the first Debate that took place, but the letter accompanying it was dated May 27. My hon. Friend the Member for Shoreditch had the same treatment. All this, I venture to say, is in the nature of a conspiracy for the purpose of hurrying through the House a measure which is well known to be antagonistic to the great mass of the people of London, and altogether at variance with solemn pledges given by the Government in this House. I take the measure side by side with another measure which is before the House, a measure founded on the Report of a Royal Commission, one of the most important Commissions that has sat for many years, and whose Report was unanimous. In pursuance of the recommendations of that Commission the President of the Local Government Board of the day, with the Attorney General of the day, introduced a measure, for what object? For the purpose of preventing the alienation of estates belonging to this same Corporation. But for this measure we can find no opportunity. The Corporation have blocked it from time to time, and have prevented its coming on; but here is an instance of extraordinary facilities being given to a Bill to make up a deficiency for the Corporation after the money has been expended which was specifically granted by the House for the Holborn Improvement, and the deficiency has been caused by the incompetency or mismanagement of the Corporation. Land sufficient to have paid the whole of the capital expended has been suffered to lie idle for years. In one instance £15,000 was refused for land that was allowed to remain idle for something like five years, and to-day I understand the Corporation have accepted a much smaller offer than they refused five or six years ago. This is the way in which the Corporation of the City of London has been in the habit of managing its affairs. If the Corporation has not refunded the money that was handed over to them from the Coal Dues, they ought to make up the deficiency out of their own estate. Any other body would have been called on to do so. Had the Corporation of Manchester, Liverpool, Birmingham, or any of the other large towns of the country have been placed in a similar position, there is no doubt that they would have had to refund the money out of their own estate. Why, then, should not the Corporation of London take the same course? Let them spend less money on entertaining people in the City, and

the money saved could be used in paying the interest, if not the capital, of the enormous amounts outstanding against them. Had the City Corporation let the matter go into the proper hands—namely, the hands of the County Council, they would have been able to pay off the remainder of the debt in a way that would have given satisfaction to the people of the Metropolis, whose industry and poverty are now to be taxed to pay the debts of what is but a small portion of the whole. I do not think it worth while to prolong the Debate, as I know that the Government, by an enormous mechanical majority, are prepared to assist the hon. Baronet who sits near me in carrying this measure through the House; but, after all, they will find that this will be stigmatized as a conspiracy on the part of the Northern coal owners and the London Corporation to tax the whole of the Metropolis to meet the deficit caused by the mismanagement of the City Authorities. I move, Sir, that the Bill be read a third time this day three months.

Amendment moved, to leave out the word "now," in order to add at the end of the Question the words "upon this day three months."—(*Mr. Howell.*)

Question proposed "That the word 'now' stand part of the Question."

MR. R. G. WEBSTER (St. Pancras): I cannot say that I at all sympathize with those who are responsible for this measure. Speaking as a Metropolitan Member, I look on the measure as one that is greatly against the interests of my constituents. As certain clauses have been inserted, I will not say to benefit, but to give fair play to existing rights in the City, I do not object to them as far as they go, although I do object to the Bill absolutely, completely, and *in toto*. I object to it the more strongly because—and I desire to say so in making what may be the last protest I shall have the opportunity of offering in this House against it—I think that in the past the Coal and Wine Dues have not been felt as an oppressive burden on the ratepayers of London. I do not believe, with the Royal Commission, that we shall be able to purchase our coals one farthing cheaper on account of the abolition or reduction of the impost; and there can now be no way of raising the half million that is needed, except by means of a rate. I am positive that I am speaking the opinions of a vast majority of my constituents when I say they have a great objection to the high rates prevailing at the present time; and therefore, on their behalf, I protest against this measure being passed by the House of Commons, nor do I think it has received that consideration which ought to have been given to it by this House. I think the question ought to have been brought before the House weeks before it was, so that the Metropolitan Members might have had the opportunity of going thoroughly into it, and of seeing whether it was the wish of the people of London that these dues should be remitted at all; for, in my opinion, they would much rather have the Coal and Wine Dues continued than pay an additional tax and have an addition made to their rents.

MR. H. COSSHAM (Bristol): I shall give my vote in support of the Amendment, that the Bill be read a third time this day three months, on these grounds:—I cannot conceive any tax that is less defensible than a tax on one of the necessaries of life, and next to a tax on food I regard a tax on coal as the most objectionable tax that could be levied. I cannot understand how the Corporation can have a right to pledge the inhabitants of the Metropolis to such a tax. Moreover, what right had the Corporation to expect that there would be a prolongation of the Coal Duty? They knew that the tax was to expire, and had no right to go beyond the limit fixed by the Act. Again, the Government have acted in a manner which I cannot but condemn in the very strongest language. We have understood from beginning to end that the Government were going to help us in putting an end to this tax. No pledge that has been given to this House or country was ever given in more explicit terms; and I oppose this Bill because I think the Government have entirely misled the House and country in assisting the framers of the measure to obtain a continuance of the Act.

MR. ROWLANDS (Finsbury): I think we have every right to protest against this Bill. We were first of all treated to a suspension of the Standing Orders; we have had the whole business of the House of Commons considerably disarranged on two occasions for the purpose of

furthering this measure, and now we are met by a conspiracy of silence on the part of hon. and right hon. Gentlemen opposite. The hon. Baronet in charge of the Bill dare not say a word; he has entered into a compromise with the City, which is not creditable to him, whether it is creditable to the City or not. He allows the people of London to be put to the heavy charge of 4d. per ton for all the coal brought into London, and beyond this we are to be defrauded of £16,000 in addition, making £300,000 altogether, of which the inhabitants of London are to be defrauded by this measure, an amount more than equal to a twopenny rate over the whole Metropolis. And for what? What claim has the City to this? No one has attempted to put forward or justify any claim on the part of the City of London to such an impost. The right hon. Gentleman the Member for Leeds (Sir L. Playfair), who was Chairman of the Committee, could not tell us what the claim was except that it was under the old Act; but the statement of the hon. Member for Bethnal Green, who quoted the Act of 1846, that the City has no claim, remains unanswered, as also does the speech of my hon. learned Friend the Member for Dundee, no one on the other side of the House having ventured to take up the gauntlet the hon. Gentleman threw down. Hon. Gentlemen opposite have been afraid to speak on this question, because they know the hon. Gentleman would have the right of reply, and they know that his facts and arguments are too crushing and strong for them to grapple with. We are bound hand and foot, and sold by the majority, which sides with the City Corporation, and the chief regret we have is that Members of our own Party are supporting them in such a procedure. No one has attempted to make out a case with regard to the action of the City Corporation in reference to the Holborn Valley improvement. The accounts in relation to that matter have been purposely left in the dark. Besides, it is perhaps advisable that those in charge of this Bill have not supplied the House with the evidence that has been taken on these matters. If we had that evidence I think we could make out such a case that Members on this side of the House at least would not be prepared to go on with a Bill which will inflict so heavy a fine on the people of London. I was glad to hear an hon. Member on the opposite side of the House, representing a Metropolitan constituency, speak out boldly against this Bill, believing it to be his duty to resist such a measure. It is true the hon. Gentleman believes in the Coal Duty as a distinct source of revenue; but that is a question apart from that before the House. I will not prolong this Debate, but I think it necessary to enter my protest against a proceeding which I regard as unjustifiably unwarrantable and corrupt.

*Mr. BRADLAUGH (Northampton): As I do not intend to vote against the Third Reading of the Bill I will give my reasons. As I understand the Bill, it abrogates all rights of the City of London to levy duties on any kind of coal, and it grants to the City a statutory right to levy a duty of 4d. in the pound for one year. Now, the City claims under certain Charters a clear right to levy more than 4d. per ton for an indefinite period on all sea-borne coal, and they allege that that right extends further. I may here say that I do not care one jot for the City, I never had any great love for it, and I should not mind taking away these rights without compensation, because they are rich enough to bear it—if we were in a position to do so. But as a matter of fact, unless the right to levy this 4d. per ton for one year be conceded, Parliament will not be in a position to take away the legal rights of the City. As far as my own vote goes I shall give it in favour of the Bill, because the coal trade of the county of Northumberland will be paralyzed, and great inconvenience will result in the Metropolis from the uncertainty that will arise as to what coal is liable to duty and what is not.

*Mr. JAMES STUART (Shoreditch, Hoxton): The whole point of the matter lies in the question whether the City has this right and is free to enforce it. We deny that it has the right, and it is on that ground that we oppose the Bill, which is to grant a continuance of the duty for another year, and even if it had the right, we deny that it has the power to enforce it. As long as the Bill did not contain this grant we were among

its firm supporters, being glad of there being a statutory end put to what we think a claim which cannot be supported. But we oppose the Third Reading of the Bill because, in our opinion, it is a gift of £300,000 from the people of the Metropolis to the City of London. We say this, that if the City of London had had confidence in its claim, if they had a proper and satisfactorily based claim, they would not have been so ready to give it up for a year's purchase. In the Vote we are about to give, we will vote against the equivalent of a 2d. rate being taken off our constituents to pay for the debts of the City, which we do not believe were practically incurred for the benefit of Metropolitan improvements, but were largely incurred, if indeed the whole balance remaining was not incurred, for an expenditure which was purely local, and for an expenditure upon property from which the City is itself in some instances at present deriving rents.

The House divided:—Ayes 226; Noes 106.—(Div. List, No. 174.)

Main Question put, and agreed to.

Bill read the third time, and passed.

LOCAL GOVERNMENT (SCOTLAND) BILL. (No. 187.)

Order for Committee read.

MR. ASHER (Elgin, &c.): Before the House goes into Committee on this Bill, I rise for the purpose of moving—

"That the Local Government (Scotland) Bill, and the Local Government (Scotland) Supplementary Provisions Bill, be referred to the same Committee; and that it be an Instruction to the Committee, that they have power to consolidate the said Bills into one Bill."

Although these two Bills are formally separate Bills, I think it is impossible to doubt that they practically form one measure. The subject matter of both Bills is the same, and I find that in the first clause of each Bill it is provided that the one is to be construed with the other, and the terms and expressions in the first Bill are all interpreted by a clause occurring in the second Bill. This Motion of mine is for the double purpose of facilitating the discussion of the clauses in Committee, and in the second place to relieve those who will have the duty of administering the new system of Scotch Local Government from the inconvenience that would inevitably result from the Scotch Local Government Code being in two Acts instead of one. I had intended to lay before the House in some detail the grounds upon which I ask the House to adopt my Motion, but by the courtesy of my hon. Friend opposite, I learn that Her Majesty's Government, if they do not do so in the precise form I suggest, yet are prepared to give effect to my proposal by consolidating the two Bills into one. Under these circumstances I should not be justified in detaining the House by any lengthened statement. I will only say I am very glad the Government have taken this course. I cannot doubt that the consolidation of the Bills will render the passage through Committee much more smooth and easy, and also their operation when they become law.

Motion made, and Question proposed,

"That the Local Government (Scotland) Bill, and the Local Government (Scotland) Supplementary Provisions Bill, be referred to the same Committee; that it be an Instruction to the Committee; that they have power to consolidate the said Bills into one Bill."—(*Mr. Asher.*)

THE LORD ADVOCATE (Mr. J. P. B. ROBERTSON, Bute): I entirely agree with the hon. and learned Gentleman that it would be most desirable that these two Bills should ultimately, before receiving the Royal assent, be consolidated into one. I rise for the purpose of saying, in the first place, that the Government all along intended that that course should ultimately be adopted. In the first place, we considered it would be more convenient and expedient that the House should delegate to a Committee the consideration of the second or supplementary one of the two measures, but I understand that in all parts of the House there is a general disposition to undertake the work in Committee of the whole House, and I am confident that there is a general disposition that we should put our shoulders to the wheel and pass the two Bills. Under the circumstances the necessity for separate treatment of the two Bills disappears, I believe the hon. and learned Gentleman's instruction expresses the object we have in common, and accordingly I am prepared to accept the Motion.

Question put, and agreed to.

Ordered—

"That the Local Government (Scotland) Bill and the Local Government (Scotland) Supplementary Provisions Bill be committed to the same Committee."

Ordered—

"That it be an Instruction to the Committee, That they have power to consolidate the said Bills into one Bill."—(*Mr. Asher.*)

*MR. SPEAKER: The next Instruction stands in the name of the hon. Member for Leith. In my opinion the Committee will have power to make provision for the purpose of conferring on County Councils the power to acquire land as indicated in his Motion, and the Instruction is unnecessary. Then the hon. and learned Member for Dumfries has an Amendment to the Motion of the hon. Member for Leith to insert "and Town Councils" after the words "County Councils." That would not be within the power of the Committee without special instruction from the House, so I have thought it right to take the Amendment of the hon. and learned Member for Dumfries as a substantive Motion if he desires to move it in that form.

MR. R. T. REID (Dumfries, &c.): I am much obliged to you, Sir, for what you have said. I intended to put my proposal as an Amendment to that of my hon. Friend the Member for Leith, but as his Instruction is unnecessary I will treat my Amendment as a Motion in the same terms as that of my hon. Friend's notice, substituting "Town Councils" for "County Councils." The object I have in view can be stated without occupying much time. When we come to the Committee stage I wish to introduce a clause to give to Town Councils the power of taking at a fair price lands in the vicinity of their burghs when they require such for purposes of public utility, or for the benefit of the people of the locality. Inasmuch as my hon. Friend the Member for Leith proposes to confer similar powers upon County Councils, my proposals will not in any sense weight the Bill when I ask that Town Councils shall have similar powers in this respect to County Councils. I think the case for enabling Town Councils within reasonable limitations to take lands is much stronger than the case for County Councils. There is this condition of things in some Scotch burghs, that the national expansion of the place is checked or almost entirely perverted by the refusal of landowners in the district to sell land for almost any purpose, in fact, what is often attempted is to strangle the burgh, and prevent its free growth, so that, as feus cannot be obtained for building, the people are obliged to live under very crowded circumstances, and we cannot get land for industrial purposes, not even on long leaseholds. In one town I could mention a specimen of its class. A great number of the houses are built on yearly leases, tenures of the most precarious kind and most unsatisfactory character. This would not be the proper time for entering upon details, and all I am now asking is that the House should enable me to raise the matter by a suitable Amendment in Committee, and I do that with the more confidence that, taken in conjunction with the Amendment my hon. Friend will propose, it need not consume much time. It would be improper for me to enter upon the character of the clause my hon. Friend will propose to secure the end he has in view. I will merely say that I should be very glad to arrive at a solution as regards Town Councils placing all reasonable limitations on the power I would confer. The land, of course, should be paid for at a fair price, and protection should be afforded for dwellings and amenities, and any proper limitations should be provided to prevent an unwise and extravagant use of such powers by any Town Council. I am expressing the opinion of a large number of people in Scotland when I say my object is to prevent the landlord, or a few landlords in a district, being the masters of the destinies of a burgh and being able to prevent the natural expansion of the town. I would give to the Town Council, with reasonable limitations, the power to acquire land for local wants. This is the outline of what I propose to do. It is unnecessary to dwell upon it now. I wish to obtain the permission of the House to engraft on the Amendment that will be brought forward by the hon. Member for Leith, provisions for conferring like power upon Town Councils. I cannot say that I feel very sanguine as to getting the assent of the Government; but I hope they may see their way to giving me the opportunity of raising the question in Committee, which would

cause but little expenditure of time, in deference to the strong feeling that exists in some Scotch burghs, that such a power is required.

Motion made, and Question proposed,

"That it be an Instruction to the Committee, That they have power to make provision in the Bill for the purpose of conferring on Town Councils power to purchase land by agreement or by compulsion, for purposes of public utility, or for the benefit of the people of the locality." —(*Mr. R. T. Reid.*)

MR. MUNRO FERGUSON (Leith, &c.): In consequence of your ruling, Sir, I will place a clause on the Amendment Paper which will deal with the point I wished to raise by my Instruction. I am glad that my hon. and learned Friend has reminded me of an oversight in my Motion, and that such a clause should deal with Town Councils as well as County Councils. Such a clause might be drafted in extremely simple terms, and if the Government will give us the opportunity for fair consideration of the proposal, I feel sure we might arrive at an agreement with very little loss of time. There need not be a lengthened argument. The feeling is very strong on this side of the House in favour of this principle of expropriation under certain circumstances, and with proper safeguards, and that it should be recognized in Scotland as it is in England and Ireland, but I am certain that there is every disposition to avoid a very long discussion of the point. I can from experience corroborate the truth of what my hon. and learned Friend says as to the difficulty certain burghs find in extending their area, and very often they are extended by means the reverse of natural, simply because on one side landlords absolutely decline to feu, and on the other side landlords demand an extravagant price. It is sometimes impossible for industrial undertakings to find the space necessary for their development. If the Government will only admit the principle, if it be only in the form of making a beginning to deal with the subject, it will go far to increase the popularity of this Bill, and greatly improve the conditions of life in many crowded districts.

MR. J. P. B. ROBERTSON: I hope the House will not accept this Instruction, and indeed I hope my hon. and learned Friend will on consideration not think it necessary to press it. Really, when one contemplates the variety and magnitude of the subjects that would be covered by the Instruction, one stands aghast at the prospect of progress we should have. The present Motion before us relates to towns; and the first observation I have to make is that I thought it was by general consent of the House the Government had abstained from touching the burghs of Scotland. The Bill is confined scrupulously to dealing with the requirements of counties as distinguished from burghs. If we are to enter on the rights and privileges existing or possible of the Town Councils of Scotland I can find no limit to our labours. Further, these communities are necessarily quite different from those in counties, and this proposal would introduce into the Bill a wholly different state of organization, and an entirely different set of subjects to be dealt with. You propose to introduce for legislation a mass of material in no way germane to the rest of the Bill. I would appeal to hon. Gentlemen to consider whether we have not got quite enough on hand, and whether it is desirable there should be an addition to the labours of the Committee by introducing a proposal in which it is impossible to see where the fertility, the ingenuity, the philanthropy of hon. Members may stop in regard to matters they might consider should be brought under such a clause. I hope we may put aside this Instruction and proceed to make progress in Committee.

MR. FINLAY (Inverness, &c.): If the question of such powers being intrusted to the bodies on whom the functions of Local Government will devolve by this Bill had been foreign to the Bill, and beyond the power of the Committee without special instruction, I should agree with the Lord Advocate that there is much to be said against the Motion. But as I understand your ruling, Sir, it will be within the power of the Committee to consider the question how far County Councils should be empowered to acquire lands for the purposes indicated, and it does strike me as a little ridiculous that if we are to go into that subject, we should not have the power to consider how far Town Councils should have similar powers, for I apprehend there is very little occasion for such powers being used by County

Councils, though it might sometimes happen that they would be of use, but for once they would be used by a County Council they would be used a hundred times by a Town Council. After all, all that this Motion proposes is to place it within the power of the Committee to consider the subject, and under the circumstances I confess I do not see that any harm would be done by accepting the proposal of my hon. and learned Friend. Certainly I shall vote with him if he takes a Division.

*Mr. DONALD CRAWFORD (Lanark, N.E.): As I have had a Motion down for the purpose of enabling Local Authorities of every description to acquire land compulsorily for purposes of public utility, I may be allowed a word or two on this subject. I very much regret that the Lord Advocate has felt compelled to resist the Motion. The Bill, after all, professes to be a Bill dealing with Local Government; it does not profess to be a Bill dealing with County Government alone, though I admit that in its scope it has been limited to County Government, as distinguished from the parishes and burghs within the area of the county. Still by its title it professes to deal with Local Government in Scotland generally, and not only so, but when our hopes on this side of the House were disappointed last year in the matter of the Burgh Police Bill, and we were denied the opportunity of effecting useful reforms in regard to the administration of burghs by that Bill, it was dropped upon the ground partly that many of the subjects included in it would find a place in the forthcoming Local Government Bill. The expectations then held out have not been fulfilled, and it would be a graceful thing for the Government to yield this point, seeing also that we are supported by the hon. and learned Member for Inverness, usually such a consistent and ardent supporter of the Government.

Mr. HUNTER (Aberdeen, E.): I think the Lord Advocate has adopted a somewhat exaggerated view of what is wanted. The only object we have in view is to enable the Committee, which already has the power to consider the question as it concerns County Councils, to consider how far it is possible by general language in the Bill to avoid the necessity for Local Authorities to come to Parliament on every occasion when necessity arises, and solicit a power such as is contemplated. The real object of the Amendment is to dispense as far as possible with private Bill legislation in regard to objects to which this proposal will be limited. It is a question of principle, and though there may be some difficulty in conceding this as regards County Councils, there can be no question of a difficulty of applying the same principle to Town Councils, if it should be adopted for County Councils. In point of fact, the same discussion that enables us to arrive at a conclusion in regard to County Councils will serve for the purposes of Town Councils without in any sensible degree enlarging the scope of the discussion. I hope the Motion may be accepted. I do not think the right hon. and learned Gentleman is right in anticipating that it would greatly add to the labours of the Committee.

*Mr. CAMPBELL-BANNERMAN (Stirling, &c.): I am as deeply impressed as the Lord Advocate with the danger of taking too much cargo on board this ship. I am quite aware, painfully aware I may say, of the large and complex nature of the subjects with which we shall have to deal, but really I think the Lord Advocate takes an exaggerated view of the consequences of accepting this instruction. I do not think my hon. Friend behind me wishes to introduce any elaborate proposal of the kind the Lord Advocate has in his mind. The Lord Advocate saw some "chimeras dire" arising from the pregnant invention, the ingenuity and philanthropy of Scotch Members, but I think he may rely that my hon. Friends will keep their philanthropy and ingenuity within reasonable bounds. As has been well pointed out the point is to be admitted for discussion as regards counties, but it is far more applicable to the case of boroughs, and it will take no more time to make it an inclusive discussion.

Mr. S. WILLIAMSON (Kilmarnock, &c.): I sincerely hope that the Lord Advocate will yield to this expression of opinion. I could give instances from my own recollection as a young man how landlords absolutely refused to grant fens to the inhabitants of a borough, and even the comparatively more reasonable landowners took ad-

vantage of the necessities of the town to exact most exorbitant terms. I hope the right hon. Gentleman will waive the objection to the Instruction.

*MR. MARK STEWART (Kirkcudbright): My hon. Friend speaks of the time when he was a young man. I do not know exactly what time he refers to, but certainly at the present time there is every inducement to landowners and every disposition on their part to grant feus for land adjoining burghs. There may be some exceptions to the rule, but they are few, for usually the proprietors are in too impecunious a state not to take advantage of the offers of Town Councils. I can see great difficulties in the way of introducing such a proposal into the Bill.

THE PRESIDENT OF THE LOCAL GOVERNMENT BOARD (Mr. RITCHIE, Tower Hamlets, St. George's): It is not possible for the Government to give way on this matter. It involves many points beyond those touched upon by my hon. and learned Friend, though I think the considerations that have been put before the House are sufficient upon which to ask the House to reject the proposal. The right hon. Gentleman the Member for Stirling seemed to think that we might fairly and properly discuss the powers which are proposed to be given to County Councils in connection with the propriety of extending similar powers to burghs, and he did not seem to think that this would materially add to the work of the Committee. But I do not at all acknowledge, with reference to the counties and County Councils, that proposals such as have been advanced are proposals which the Committee ought to accept, or which the Government can in any way sanction. Just let us look at the proposal for a moment. One hon. Member spoke of purposes of "public utility," and that is a sufficiently wide area over which to ask the Committee to travel. It might mean almost anything the mind of man could conceive, and certainly many Members would interpret the phrase in a very wide manner, and we should find ourselves embarked on a very wide discussion. Another hon. Member referred to "the extension of burghs;" a suggestion which raises very wide and extensive issues; while a third spoke of conferring powers on the Town Councils "to develop the industrial resources of the burghs," and that surely is an area over which it would be very unwise to ask the Committee to travel. I do not think the House has ever given to any Public Authority, either in Scotland or England, by means of Provisional Orders, power to take land for purposes such as are suggested by hon. Members. This raises another point. We cannot shut our eyes to the fact that the proposal is that Parliament should be called upon to delegate powers of taking land compulsorily for practically any purposes the Local Authority proposes to take it. The hon. and learned Gentleman desires that there should be some much easier mode of obtaining land by means of compulsion than those now known to the law.

MR. R. T. REID: It is quite true I do want to avoid the necessity of an Act of Parliament whenever a Scotch burgh wants two acres of land. I would willingly consent to all reasonable limitations to prevent any unfair use of such power.

MR. RITCHIE: At present no Local Authority can obtain land for any purpose except by means of a Provisional Order, which is an Act of Parliament made easy.

SIR G. CAMPBELL (Kirkcaldy): It has been said this is not a burning question. It is a very burning question throughout Scotland generally, and the Government will find at the next Election that this is so.

MR. C. S. PARKER (Perth): I think it would be right to give such power as is proposed to County Councils and to Town Councils, but not without the sanction in each case of Parliament confirming a Provisional Order. It certainly would not do that whenever a Scotch burgh wants any two acres of land it should be able to take them, or that even a County Council should be able to buy out any landowner, without appeal.

The House divided:—Ayes 100; Noes 126.—(Div. List, No. 176.)

MR. DUFF rose to move—

"That it be an Instruction to the Committee that they have power to insert provisions in the Bill to grant powers to sea coast towns and villages in Scotland to raise money for harbour purposes and for giving collateral security for

loans under the Harbour and Passing Tolls Act of 1861, similar to the power at present exercised by Royal, Parliamentary, and Police burghs under the Public Works Loan Act of 1882, and to create a Local Authority under the Act for this purpose."

*MR. SPEAKER: The Instruction standing in the name of the hon. Member for Banff is, in my opinion, out of order. The Instruction treats with matters which seem to me to require separate legislation. It proposes to create bodies quite distinct from the County Councils, and confers on them powers not limited to the proposed areas of government.

LOCAL GOVERNMENT (SCOTLAND) BILL (No. 187) AND LOCAL GOVERNMENT (SCOTLAND) SUPPLEMENTARY PROVISIONS BILL (No. 188).

Considered in Committee.

(In the Committee.)

Clauses 1 and 2 agreed to.

Clause 3 omitted.

Clause 4.

Amendment proposed, page 1, line 17, after "of," leave out "the Acts of 1889," and insert "this Act."—(*Mr. J. P. B. Robertson.*)

Question, "That the words proposed to be left out stand part of the Clause," put, and negatived.

Question "That 'this Act' be there inserted," put, and agreed to.

MR. CALDWELL: I beg to move the Amendment which stands in my name, which is, to introduce the words

"Chairman and Councillors is to introduce what is not known in Scotland as a Chairman chosen outside the body."

The County Council will consist of Councillors alone, and it is not necessary that the Chairman should be specially mentioned.

Amendment proposed, page 1, line 20, leave out all after "county," to end of Clause.—(*Mr. Caldwell.*)

Question proposed, "That the words proposed to be left out stand part of the Clause."

MR. J. P. B. ROBERTSON: The object is that there shall be a Council of which the Chairman may or may not be chosen from within the body of Councillors. I hope the Committee will dismiss from their minds any impression that there is any exclusion of Councillors from the position of Chairman. All that is proposed is that the Council when they are looking round for a Chairman, shall have it within their competency to go outside, if and when they deem the best choice can be made outside. I am sure it has occurred to hon. Gentlemen that in many instances you may find a man who has ripe experience in county matters, and yet who from one circumstance or another does not come forward at the election. What can be more appropriate than that the County Council, especially in the earlier steps of its existence, and when the number of experienced men amongst the newly elected may not be very large, should have the option of securing a Chairman where he can best be found, and not necessarily from within its own ranks.

*MR. CAMPBELL-BANNERMAN: Are we to understand that if we pass the clause as it stands that is to be taken as giving an assent to the principle that the Convener of the County need not be a councillor?

MR. J. P. B. ROBERTSON: No; I would suggest that the proper plan would be to agree to the words as they stand, leaving entirely open the question whether the County Council may choose a chairman outside.

*MR. CAMPBELL-BANNERMAN: I recommend the hon. Member not to press the omission of these words, in order that we may have the matter more fully and pointedly discussed later.

Amendment, by leave, withdrawn.

Question proposed, "That Clause 4, as amended, stand part of the Bill."

SIR G. CAMPBELL: I should like some explanation with regard to the difficulty we are put in by the definition clause appearing at the very end of the Bill. I should like to know what is a "county" for the purposes of this Act. Burghs are excluded by negation; but, on turning to the definition clause, I find a county is a county exclusive of any burgh, and that a burgh includes any Royal or Parliamentary burgh. There is a great difference between a Royal and a Parliamentary burgh. I understand that under the Bill the larger burghs will have no connection with the county at all. I should like to know

whether that is so. Then I find that police burghs are not burghs; they are apparently included in the county.

MR. J. P. B. ROBERTSON: This question might more directly come up on some other clause; but I am quite willing to explain now. The word "county" is defined to mean a county exclusive of any burgh, and a "burgh" is defined to be any Royal or Parliamentary burgh. The consequence is that "county" includes everything but Royal and Parliamentary burghs.

Question put, and agreed to.

Clause 5.

*MR. J. B. BALFOUR (Clackmannan, &c.): I suppose that, now that the two Bills are to be consolidated, it is unnecessary, in the view of the Government, that I should move the Amendment standing in my name, which is to leave out the words "subject to the provisions of the Acts of 1889." My original reason for putting down the Amendment was to raise the question whether all the councillors should not be elected.

MR. J. P. B. ROBERTSON: I propose to leave out the words "the Acts of 1889," and to insert "this Act." I do not think the right hon. Gentleman's object will be in the least prejudiced.

Amendment proposed, page 1, line 23, leave out "the Acts of 1889," and insert "this Act."—(*Mr. J. P. B. Robertson.*)

Question, "That the words proposed to be left out stand part of the Question," put, and negatived.

Question "That those words be there inserted," put, and agreed to.

MR. FRASER MACKINTOSH (Invernessshire): I beg to move the Amendment which stands in my name. The Lord Advocate will see from the number of Amendments dealing with the same point that there is great diversity of opinion.

Amendment proposed, page 1, line 27, leave out "one" and insert "two."—(*Mr. Mackintosh.*)

Question proposed, "That the word 'one' stand part of the Clause."

*MR. MARK STEWART (Kirkcudbright): I have an Amendment on the Paper, which provides that one or more councillors should represent each division, and which therefore goes further than that of my hon. Friend. I would prefer to see his carried than nothing at all, but I do not want to limit it to two Councillors. Some counties, as my own, the Stewartry of Kirkcudbright have road districts, which would make excellent districts from which to elect County Councillors, rather than by taking the parish as the unit. In the case I mention it would be desirable where there are six road districts to elect, say, five County Councillors for each district.

MR. J. C. BOLTON (Stirling): There is no indication in the Bill of the number of which the County Council will be composed, but we may draw an inference that it will be somewhat larger in number than the possible number of delegates which the parochial boards would be able to send to the District Councils. If, for example, a county consisting of 30 parishes would be able to send two delegates from each parish to the District Council, we may assume that the total number of Councillors for the whole county would be somewhat in excess of 60. Otherwise the delegates and the Parochial Board would in every District Council swamp the County Council if so disposed. I have placed an Amendment on the Paper providing that the number of Councillors should be three instead of one, and I would appeal to my hon. Friend to withdraw his Amendment in favour of mine.

MR. J. P. B. ROBERTSON: This is a question of the greatest interest, and it deserves close consideration. The conclusion we have come to on the whole is that it is better to adhere to the plan of single-membered divisions. In the recent re-distribution of Parliamentary seats that plan was regarded as upon the whole most likely to yield fair results, and as a general principle we shall not depart from it. When I turn to the practical difficulties which have been suggested, I do not think they are as substantial as would appear at first sight. It is said we might have larger electoral districts. Well, Sir, the slight Amendment which has been already made has given much greater elasticity to the provision as to what should constitute the electoral division. There does not appear to be any reason for apprehension about your having too small a council. Considerable remonstrances have been made against having

large County Councils, which it is considered may be too cumbrous, and I think it will be wise to have single-membered districts of such a size as will not lead to over-representation of the county. If you have more than one member in a division, I am afraid there would be frequent contests, and the expense of elections would be increased. I hope, therefore, the Committee will agree to the proposal of the Bill.

*Mr. ESSLEMONT. (Aberdeen, E.): I am glad the Government have decided to stand by the provision of the Bill in this respect. Having had considerable experience of both single and double divisions, I have come clearly to the conclusion that single divisions are less expensive and the best.

*Mr. HOZIER (Lanarkshire, South): I am sure that by providing for single-membered constituencies the Government will gratify the vast majority of the Scottish people. If you look at the other proposals you will see that the advocates of those proposals are very much divided among themselves. There are the advocates of two-membered constituencies, and they are split up because some suggest that each man should have only one vote. Then there are the advocates of three-membered constituencies, some of whom suggest that one Councillor should retire each year, but this would, of course, necessitate far too frequent elections. There are others, again, who advocate five members. I am certain that when one looks at the vast diversity of opinion among the opponents of single-membered constituencies, we may congratulate the Government on sticking firmly to their proposal.

Mr. A. ELLIOTT (Roxburgh): There is much to be said in favour of single-membered constituencies; but I hope the County Councils will not be small bodies. I am strongly in favour of having large Councils, and letting them divide themselves into Committees, so as to carry on the work. Unless the Committees are to some extent looked after by a widely-constituted County Council, the general public will take no interest in what they are doing.

*Mr. CAMPBELL-BANNERMAN: I think we may on this Amendment conveniently ask whether the Government can give us any information as to the probable proportion of numbers and divisions, and therefore of Councillors in different counties. I am aware this clause has no immediate connection with the question of determining the boundaries of electoral divisions; but if the Lord Advocate, at all events, could give us some idea of how he proposes to allot the Councillors to each county, and whether he considers the number ought to be settled on the ground of proportion or of area, it would, I I think, be an advantage. In the Parliamentary Redistribution Act two years ago there was a general rule laid down that each Member should represent something like 50,000 inhabitants. Of course, that principle could not be rigidly maintained, but that was the principle generally acted upon; and it would be convenient for us to know whether the Government intend to proceed upon some analogous rule here. With regard to the Amendment, I am disposed to agree with what has been said on this side of the House—namely, that the Government were right in adhering to one-membered constituencies. I should think there is much to be said for three members for each district, on the supposition that the rule of one member going out each year was to be applied, as is the case in burghs. Such an arrangement would not multiply the expense of elections, which would probably be precisely the same as under the other plan. But if no arrangement about their retirement each year were made, I am altogether opposed to any proposal to make the members for a division more than one.

Mr. J. P. B. ROBERTSON: In answer to the inquiry of the right hon. Gentleman as to the numbers of the County Councillors in each county, we desire to deal in the most frank manner with the House and the country. We are now endeavouring to find out what will be the number, and we shall lay on the Table of the House a scheme showing the matured views of the Government on the subject. When that is done, the Department will be happy to consider any suggestions that are made upon the schemes.

*Mr. CAMPBELL-BANNERMAN: Before we part with the Bill?

Mr. J. P. B. ROBERTSON: Oh, certainly. We have very nearly followed the phraseology adopted in the English Act of last year as to the schemes, be-

cause if we adopted any absolute rule it would probably break down.

*MR. FRASER MACKINTOSH: The general feeling of the Committee being in favour of retaining the number one, I beg leave to withdraw the Amendment.

DR. CAMERON (Glasgow, College): The Lord Advocate has not replied to what was said by the right hon. Gentleman (Mr. Campbell-Bannerman) with respect to the possibility of amalgamating districts in counties and allowing each division to return three Councillors, one of them to retire each year. If my right hon. Friend had moved an Amendment on that point I should certainly have supported it.

MR. J. P. B. ROBERTSON: I understood the right hon. Member for Stirling stated that he was in favour, as a first choice, of a single-member system; but that if the other plan was resorted to it would be necessary to have annual elections. I did not refer to that point, because we intend to adhere to the single-member constituencies. I think that most people in Scotland are strongly opposed to having constant elections.

Amendment, by leave, withdrawn.

MR. CALDWELL (Glasgow, St. Rollox): I beg to propose the Amendment which stands on the Paper in my name. It is a drafting Amendment, which has been taken out of some of the other Acts of Parliament.

Amendment proposed, Clause 5, page 2, leave out all after line 7, and insert—

"(3.) The County Councillors shall be elected for a term of three years, and shall then retire together, and their places shall be filled by a new election, and each County Council elected under the Act shall remain in office until a new election shall take place, as provided by said Act."—(*Mr. Caldwell.*)

MR. J. P. B. ROBERTSON: I am bound to say I think the words of the proposal in the Bill are extremely lucid, and I should, therefore, deprecate a change.

DR. CLARK (Caithness): I should like to hear why the Government have given up the old system of having a continuous Council by providing that one-third shall retire annually? That system has long been in operation in the burghs; and I should have thought that, from the Conservative point of view, it would have been thought better not to make this great change.

MR. J. P. B. ROBERTSON: The circumstances of counties make frequent elections much more inconvenient there than in the burghs; but I think that any one who comes in contact with public feeling in Scotland on this subject must be aware that there is a growing disinclination to have frequent elections. I think it is better that the people should have rest and quiet than that there shall be a contest every year.

Amendment, by leave, withdrawn.

*MR. HOZIER: I beg to move to add after "election" the words "a retiring Councillor shall be eligible for re-election."

Amendment proposed, Clause 5, page 2, line 10, after "election" to add "a retiring Councillor shall be eligible for re-election."—(*Mr. Hozier.*)

MR. J. P. B. ROBERTSON: I do not think my hon. Friend will find these words are necessary. There is no disqualification implied either by Common Law or by the words of this statute in regard to a man who has served office.

Amendment, by leave, withdrawn.

SIR G. TREVELYAN (Glasgow, Bridgeton): I will only say, in regard to the Amendment I have to move, that in Glasgow it will be considered that by this concession the Government appreciate to a certain extent the position in which parties find themselves placed, that situation being proposed to be met by an Amendment by an hon. Colleague of mine in the representation of the city.

Amendment proposed, Clause 5, page 2, after line 10, add—

"Provided always, that if any police burgh or electoral division shall, after the passing of this Act, be annexed to or included within the boundaries of any burgh, the Councillor or Councillors for such police burgh or electoral division shall, from and after the date when such annexation or inclusion takes effect, cease to hold office."—(*Sir G. Trevelyan*)

Question proposed, "That those words be there inserted."

MR. J. P. B. ROBERTSON: I should just like to say that in accepting the Amendment no presumption is created in regard to individual cases. The right hon. Gentleman has carefully framed his Amendment to meet a class of cases in such a way that the insertion of the

words does not prejudice any individual case that may hereafter arise.

SIR A. CAMPBELL (Renfrew, W.): I hope that it will be thoroughly understood that if the Amendment is agreed to we are not pledged as to dealing with a case we may be asked to deal with hereafter.

Question put, and agreed to.

*MR. ESSLEMONT: Before we pass from the clause it might be well to remind the Lord Advocate that the old Royal burghs are often very small.

*MR. J. P. B. ROBERTSON: On that subject it is necessary for the Committee to have in mind that Royal burghs will, in some cases, be represented on the County Council where the population is under 7,000; but their representation will be for limited purposes—for police purposes, for the purposes of the Contagious Diseases (Animals) Act in some cases, and the representatives of such Royal burghs will only vote in reference to these subjects.

Clause, as amended, agreed to.

Clause 6.

Amendment proposed, (The Lord Advocate) line 15, after "such," insert "determination and."

Amendment agreed to.

Question proposed, "That the Clause, as amended, stand part of the Bill."

MR. J. C. BOLTON: This clause refers to various matters to which the Secretary for Scotland is to have regard in fixing the electoral districts. I should imagine that if he had regard to population that would be sufficient. Having so many instructions it will be impossible for him to carry out some of them.

MR. J. P. B. ROBERTSON: The duties the Secretary for Scotland will have to perform will be to fix the number of Councillors for the County Council, and in proportioning between the burgh representation and the rest of the county. The scheme of the Bill is that as regards the fixing of the districts the duty devolves on the Sheriff, and after the first time upon the Council; it is not in the functions of the Secretary of State. As to the various considerations presented to the view of the Secretary of State it has been thought desirable, in determining the number of Councillors, that regard should be had to distances, area, and population, and the situation of masses of people, so that the Secretary of State should have present to his mind everything that should properly affect the fixing of the numbers.

DR. CAMERON: It is important that we should be in possession of information roughly indicating the number of Councillors. The Secretary for Scotland is to determine the numbers, and that is equivalent to determining the electoral districts. Now, you have under the Bill most important District Councils, consisting of representatives of the parish combined with Councillors. It makes all the difference in the world to the composition of these Districts Councils whether the number of Councillors is large or small, for you might in some cases have the District Council swamped by the Board of Supervision, a non-representative body. We do not wish to bind the right hon. Gentleman down to any particular figure; but he might give us some general indication, so that we might reckon on the approximate strength of these Councils that are to be called into existence, say whether 20 or 50, or what number. I do not think there will be any difficulty. Surely the right hon. Gentleman has worked it out in his own mind, though, of course, the plan may require elaboration in detail? With a promise to lay down the figure more exactly at a later date, it would facilitate present discussion to have some general idea.

MR. RITCHIE: Perhaps I may be allowed to say, having had some experience of these matters, that it is absolutely impossible to lay down any principle such as the hon. Gentleman indicates. What was done before in the English Bill was, that each county was considered by itself as regards population, area, and all other circumstances. It may be that one county will require many more representatives than another. We desire to have a good working Council for each county, and we desire, at the earliest moment, to take the House into our confidence in the matter. The scheme drawn up by the Secretary for Scotland, showing how many Members it is proposed to assign to each County Council, will be laid on the Table before this Bill leaves the House, and all representations of hon. Members

with regard to its variation will be most carefully considered.

DR. CAMERON: Will this scheme be scheduled in the Bill?

MR. C. T. RITCHIE: We do not propose to do that. We propose to lay a paper on the Table of the House; and we shall consider any suggestion made by any hon. Member in reference to any particular county.

*MR. D. CRAWFORD: The last question of the hon. Member for Glasgow puts in practical form a remark I was about to make. I do not think any of us have any doubt that the Government would exercise the discretion they ask for with the best intentions, and, I dare say, with successful results; but I thought when the English Bill was before the House, though, as a Scotch Member, it was not for me to make the suggestion, that it was scarcely a business-like thing for the Committee to leave to the Government the absolute discretion of saying whether the Council shall consist of five or 500 members. It is impossible for us to discuss some of the provisions of the Bill clearly unless we have some general idea of what the size of the Council is to be. Surely, instead of the paper alluded to, it would be better to have the information appended to the Bill in the form of a Schedule?

MR. LYELL (Orkney and Shetland): In those counties that have adopted the Roads and Bridges Act, the most important duties discharged in the administration of county affairs are those entrusted to the Road Board. The Road Board consists of a considerable number of members, and I certainly hope that the Councils will be as large as these, and equal to provide a sufficient number of members for the different districts into which the counties are divided. Then, there are the Police Committees and the other Committees, now drawn from the Commissioners of Supply, and these will have to be furnished by the County Council. I think we ought to have some indication as to the general scope and extent of the composition of the proposed Councils.

SIR G. CAMPBELL: It might assist us if the President of the Local Government Board would tell us the average number of Committees on the English Councils?

MR. C. T. RITCHIE: It is quite impossible to give an idea on that ground, because the sizes of English counties vary, and you may find one representative to 1,000 inhabitants or to 10,000. It is impossible to go on the basis of population. This I may say, however—that, subject to variations, in each county we had in mind the figure of 60 as the average of the number of members on a Council.

SIR G. CAMPBELL: Can the right hon. Gentleman give us an idea of the variation of representation in electoral districts; can we say from 1,000 to 10,000?

MR. C. T. RITCHIE: Yes; they do vary to that extent.

SIR G. CAMPBELL: And lower than 1,000 and higher than 10,000?

*MR. CAMPBELL-BANNERMAN: The question is really this. Is the Secretary for Scotland to take the initiative, and, out of his inner consciousness, evolve some principle upon which the number in each County Council is to be fixed, and then the Sheriff is to parcel out the county into divisions corresponding to that number? That is one way of doing it. Another way would be to begin by constituting suitably sized divisions, and see how many Members would thus be required. Perhaps the right hon. Gentleman will tell us if his proposal is to fix for each county a good working number of Councillors, and then adjust the divisions to that number.

MR. C. T. RITCHIE: Yes, that is so. We first decided what the County Council is to be, and, of course, in deciding the number we had before us the variations in area of the counties and plans showing variations in population, and we endeavoured in adjusting the number of Councillors to serve, that each division of the county should have separate representation where such was called for by its circumstances.

MR. J. C. BOLTON: It must not be forgotten that the circumstances of the two countries, England and Scotland, are not the same, and the Bills are not similar. We must bear in mind the proportion of Members for the District and Parochial Boards. It may be that in the result the Members of the Council will largely consist of nominated and not elected Members.

MR. J. P. B. ROBERTSON: Of course these are matters that will necessarily enter into the consideration of those engaged in framing the scheme.

MR. CALDWELL: It is a most material part of the Bill. The whole power may be thrown into the hands of a few individuals having large property in a county. It all depends upon how the distribution is made, whether there will be popular representation or not. I have given notice of an Amendment on this point, because I can conceive cases in which half the Members of a Council might practically be under the control of a large proprietor. It does seem to me an extraordinary proposal that we should hand over the power absolutely to the Secretary of State to determine the number and distribution of districts—and I cannot think that will be satisfactory to the people of Scotland.

*MR. J. B. BALFOUR: It is very natural that in all parts of the House there should be the desire to have as much information as possible on this point. I would suggest it might well be dealt with by a schedule in the Bill, fixing the number not absolutely, still approximately and with a certain latitude. I do not gather whether the Paper which the Government have offered to lay upon the Table of the House would in any way be obligatory upon the Secretary for Scotland. He might be disposed to take an entirely different view.

DR. CLARK: I take it that if the Secretary for Scotland were to attempt any jerrymandering of the County Council constituencies, we should have full opportunity of revising his proposals. Of course, there are many considerations to have in view in the arrangements, and I think we may leave the matter now and deal with the information with which we are supplied or Report stage, and insert a schedule then.

*MR. D. CRAWFORD: I am sorry the Government do not see their way to a perfectly reasonable arrangement, inserting a schedule. We certainly ought to have more information before going on with the Committee. I shall oppose the clause.

DR. CAMERON: I shall second such opposition, for it appears to me the Government do not know quite what they are going to do. This is a proposal vital to the Bill, and the Government ask us to place ourselves implicitly in their hands, and to sanction some scheme that is to be laid before us by the Secretary for Scotland. What has been said by the two Members of the Government shows that they do not know what the proposals is to be. The President of the Local Government Board speaks of 60 as the number that was in mind with the English Bill; that it was a central idea to start from, but I think it is quite clear, having reference to Clause 17 of the Supplementary Bill, that the Secretary for Scotland and the Lord Advocate, if they are going to work out a scheme for the proportion of representation of District Councils and Parochial Boards, have no such idea. The right hon. Gentleman has told us of the desire of the Government to take the House into their confidence, but it seems to me we are being asked to become parties to what is called the "confidence trick." We are asked to take the matters on trust. I do not think we are treated fairly. Our constituents should have this information and the means of making representations through us upon any part of the scheme. I think the First Lord, who often plays the part of mediator in difficulties that arise, will recognize the fairness of our contention. We do not ask for a hard and fast definition, but we ought to have before we go on with the clauses a general idea of the line on which the Government will proceed in making the distribution.

MR. J. P. B. ROBERTSON: I do not think hon. Members will find there will be any delay in putting the House in possession of the views of the Government. As soon as it can be done it shall be done. We quite recognize that from time to time there should be a recurring power of revision of the numbers, and we shall propose an Amendment to provide for this through the intervention of the County Council itself. I repeat, before the Bill is out of the hands of the House, the House shall be put in full possession of our proposals, and I can assure hon. Gentlemen that full consideration will be given to every suggestion offered.

*MR. J. B. BALFOUR: I am glad there will be power of alteration of the original number; but what we desire is

to have the original number settled in some way by Parliament. The Paper proposed to be laid on the Table will not have the force of a statute, and the power of alteration after a number of years would not I think be sufficient.

DR. CLARK: Perhaps, under the circumstances, the wisest course would be to postpone the clause. The Government are going to amend it.

MR. J. P. B. ROBERTSON: No, no.

DR. CLARK: As it stands it will not affect any changes in the future.

MR. J. P. B. ROBERTSON: If we are to have single member divisions it is obvious that the number of County Councillors will be the same as the number of electoral divisions. We desire to make that clear by putting in the words "County Councillors."

*MR. BARCLAY (Forfarshire): I would suggest that the Committee suspend its opinion on this matter until the Paper which has been spoken of is placed before us; then, if that Paper is approved of, it can be made a schedule of the Bill. That, I think, would meet the views of all parties.

MR. RITCHIE: We will lay on the Table of the House very shortly our proposal as to the number of Members of the County Councils. My own view is that if you get a concensus of opinion in favour of a certain number, the Committee may not think it necessary to add a schedule to the Bill. It would be inconvenient to add a schedule. The number of Councillors might have to be varied, according to the circumstances of the case, subsequently; therefore, I think it would be as well not to fix upon a number. When the Paper is submitted by the Government it will be quite in the power of any hon. Member to move that it be made a schedule, though I should deprecate such a course. Of course, if there were a strong feeling in favour of it, the Government would not offer opposition.

MR. W. SINCLAIR: It seems evident that there is a strong disposition on the part of the Committee to have the number of County Councillors settled before parting to the Secretary for Scotland with the power involved in this clause. Therefore, I would support the suggestion of the hon. Gentleman the Member for Caithness (Dr. Clark) that the consideration of the clause be postponed until after the paper is in the hands of the Committee.

SIR G. CAMPBELL: It is the subsequent variation that I am afraid of. In the first instance the number will probably be very fairly settled, but it is proposed to give to the Secretary for Scotland an enormous power—that of varying from time to time the distribution of the power of the councils. That is a power which might be used for political purposes. The Government might well make up their minds before they decide as to the number of Members of these Parochial Boards. The number of parishes in Scotland is 1,000 which, if we have double constituencies, would give 2,000 representatives, or 60 Members to each council. Such a number as that would be impossible in counties like Ross and Clackmannan, and you would, therefore, be obliged to have more than 60 Members on the councils in the larger counties which would obviously lead to inconvenience.

The Committee divided:—Ayes 93; Noes 58.—(Div. List, No. 177.)

Clause 7.

*MR. BARCLAY: The Amendment I propose is for the purpose of providing for a subsequent Amendment at the end of the clause. It is provided by the Bill that the County Councillors representing burghs, either Parliamentary or Police, should be returned by the electors at a separate election. No doubt it is provided that the election should be held at the same time as the election of Police Commissioners or Town Councillors, but the County Council election would necessitate a separate and distinct roll. In the second place, it would not be possible to hold the election at the same place, and this would involve a considerable deal of trouble to the electors. The Lord Advocate deprecated frequent elections, and I think this is altogether an unnecessary election, and apart from the trouble, expense, and annoyance, the system will work extremely badly, because one of the great objects of having representatives of boroughs in the County Council is that the County Council and local bodies may work in harmony together. But under the Bill it is quite possible that the County Councillors elected for boroughs may not be either Police

Commissioners or Town Councillors. A most important question in the County Council will be that of the police, and it will be extremely awkward if the Provost or the Police Commissioner are not represented on the County Council. According to the provision of the Bill it might be a citizen of the burgh, who is neither a member of the Police Commission nor of the Town Council, who is returned. I think that would be extremely inconvenient and very much to be deprecated. It has hitherto been the custom by one means or another that the Provost or Chief Magistrate of the borough has been a representative of the borough on the Commission of Supply. It would be very desirable and this system should be continued, and I am very certain that it would detract from the dignity, influence, and importance of the County Council if the Provost or Chief Magistrate of the borough were not represented on the County Council. On the grounds that it would be inconvenient, expensive, and work badly, I hope that the Government will reconsider this proposal to have the County Councillors elected directly by the Councillors, and follow the old practice of Scotland by having the representatives of the boroughs on the County Council elected by the Police Commissioners or the Town Council of the borough. This would be the means of uniting the various Local Authorities together, and it would give reason to expect that they would work more harmoniously together in county affairs, if the arrangements for election were simplified.

Amendment proposed, Clause 7, page 2, line 19, after the word "division" insert "not being a police burgh or part thereof."

Question proposed, "That those words be there inserted."

SIR G. CAMPBELL: I would suggest that the hon. Member should insert the words "all burghs," for the arguments he has used would apply quite as much to other burghs as to police burghs.

*MR. BARCLAY: If the hon. Gentleman will excuse me, Royal burghs are dealt with in a separate clause.

MR. J. P. B. ROBERTSON: This is a most important point which my hon. Friend the Member for Forfarshire has raised, but perhaps it is by accident that he is first dealing with the case of police burghs. I am bound to say that I think there is a special difficulty in adopting his proposal regarding police burghs. As regards Parliamentary and Royal burghs I think the argument of the hon. Member very powerful. In the case of the Royal and Parliamentary burghs, the Bill proposes to get rid of the fresh elections, and we are all agreed that it is desirable to reduce the number of elections when the object is the same. But when you come to the Royal and Parliamentary burghs you have got the same suffrage electing the Councillors who are to elect the representatives to the County Council as would elect the representatives, supposing there were a direct election. In the police burghs you have not the same suffrage; you have got as electors merely those who pay on £4 houses, and who are on the valuation roll; so that you have not the same suffrage as in the Royal and Parliamentary burghs electing the body which returns the representative to the County Council. If you have an identical suffrage then I grant that considerations of convenience point largely to accepting the choice of the Town Council as representing the choice of the electors of the Town Council. I think there is a very strong case for the Royal and Parliamentary burghs on that ground. My impression is that the better plan would be to distinguish between police burghs and the Royal and Parliamentary burghs, and I venture to suggest that a distinction should be drawn between the Royal and Parliamentary and the police burghs, and that the police burghs should be treated as a part of the County.

*MR. BARCLAY: I think it would be a very great misfortune if the Chief Magistrate of the Police burgh were not represented on the County Council. In the meantime he is represented on the Commission of Supply, and in many cases he is by statute, a member of the Police Committee, and it would be exceedingly unfortunate if, under the new system, he were not to have a voice in the administration of the police of his burgh. I am quite willing to admit that the franchise in the police burghs is not exactly the same as in the Parliamentary and Royal burghs,

but we hope that by-and-bye it will be the same as in the county, and that there will be a uniform register for county and burgh. It is highly expedient that the Chief Magistrate of the Police burgh should be represented on the County Council, so that there may be harmony of administration between burgh and county. If you adhere to the proposal in the Bill it will be necessary to have an expensive register for the burgh, and the practical difficulties—whatever the theoretical ones may be—in the way are so serious that it would be much better to take the direct plan of having the chief magistrate of the police burgh represented on the County Council, as he is now represented on the Commissioners of Supply. I do not think that the theoretical difficulties suggested by the Lord Advocate are of a serious character.

*MR. CAMPBELL-BANNERMAN: This is not a very large point, but it is a very debateable one, and for my part, I think that the Lord Advocate would do well to stand by the provisions of the Bill. I start with rather a prejudice against what I would call secondary elections. Direct election I can understand, but when a certain body of men are elected Police Commissioners, and when those Commissioners elect someone out of their own number to represent them on another body, I think it is found that the persons so elected are not the most active and vigorous representatives, but probably some sleepy member who would go on from generation to generation occupying the post, and not really be of much use to the community. I prefer a livelier method of election. The Lord Advocate, no doubt, draws a distinction between the cases of the Royal, and those of the Parliamentary burghs, but when he says the constituency is the same as the County constituency, he forgets, for instance, the Franchise service.

MR. J. P. B. ROBERTSON: Will the right hon. Gentleman allow me to say that we propose to put into the Bill a Franchise clause applicable to the burghs.

*MR. CAMPBELL-BANNERMAN: I am very glad to hear that. I quite admit the point made by my hon. Friend the Member for Forfarshire, that it is desirable that the chief Magistrate, who is at present a Commissioner of Supply, should be a County Councillor, but on the whole I think it would be safer for the Government to stand by their proposal and allow the County Council electors in these burghs to directly elect a representative.

*MR. ESSLEMONT: I think my hon. Friend the Member for Forfarshire is right in his contention, and considering what the Lord Advocate said that the functions to be performed by these burghs in the County Councils are not very extensive, it is unnecessary to my mind, as the Police Commissioners are to be a purely elected body to go to the trouble and expense of specially and directly electing a representative for the County Council. But my chief contention in support of the proposal is this, to secure simplicity in the register, and I hope the Lord Advocate will make concessions in this direction. I cannot too strongly impress on the hon. and learned Gentleman the importance of getting rid of these complicated registers. I am sure it will save him and the country an immense amount of trouble if in the Burgh Police Bill he establishes such a simple Register as will answer for all purposes — for Parliamentary, Town Council, Commission, and even School Board and Parochial Board elections. There is nothing I deprecate more than this drawing distinction between Royal burgh and the Police burghs which have been created within the last few years. We must put an end to these distinctions, and I hope the Lord Advocate will not maintain these difficult complications. I quite admit the fair spirit in which the Lord Advocate has dealt with it, and in which my right hon. Friend the Member for the Stirling Burghs has approached it. But is it after all worth while in the representative burghs to put the electors to the trouble of a special election for a County Councillor? Again I would urge the Lord Advocate to simplify the registers.

MR. J. P. B. ROBERTSON: I rise for the purpose of explaining a matter which has escaped observation, but I should like in the first place to say a word or two on the subject of registration. The hon. Member seemed to think—and I venture to suggest erroneously—that my proposal on this matter will add to the complexity.

*MR. ESSLEMONT: No, I agree most entirely with all my right hon.

and learned Friend said as to there being no worse complication created by the phraseology of the clause. I only hoped by a little gentle pressure to get him to do something to simplify the register.

MR. J. P. B. ROBERTSON: I may be allowed to say we have altogether altered the clauses dealing with registration which were exposed to the objections raised by the hon. Member for East Aberdeenshire. We have re-framed them and put them into the form of a new clause. By so doing we have got rid of complexity, expense, and delay. The hon Member has selected a special point about the police burghs, but these burghs are subject to the rating of the County Councils as regards general rates. They are represented on the County Councils not for limited purposes but for the whole purposes of the Act which the County Authority administers. My observation therefore applied not to them but to the Royal and Parliamentary burghs, which are exempted from the county rates. On the question of registration the hon. Member for East Aberdeenshire suggested that the result of the proposal of the hon. Member for Forfarshire would be to break up the Parliamentary register as available for the County Council register wherever the police burghs intervene. But police burghs intervene in all sorts of unexpected places, and if you have to except them from the ordinary register which governs all elections for the county, that break will be made. And may I add one or two observations about the service franchise. The Government now propose to admit servants to the franchise on the standing of the Parliamentary register, and the adoption of the Parliamentary register for that purpose affords an additional reason why it should be adopted for other purposes. These considerations are advanced merely in the interests of economy. I would gladly if possible accommodate our proposals to the views of the hon. Member, but in doing so I think we should violate the sound principles of the Bill. As the right hon. Gentleman the Member for Stirling burghs has pointed out, the Committee are only accepting secondary elections in cases whether there is a direct original representation.

*MR. D. CRAWFORD: Without offering any opinion adverse to the general scope of the right hon. Gentleman's remarks, I should like to ask him one question. He objected to some of the observations of an hon. Member on this side of the House, because he said it would be necessary to carve out of the present Parliamentary Register practically a new Register for the purposes of police burghs. Now the Bill states that each police burgh is to be a separate electoral district for the purposes of the County Council. Let me take as a concrete instance, for the sake of illustration, the case of the burgh of Motherwell, in North-East Lanarkshire. At present the Parliamentary Register is made up by parishes without reference to police burghs, and, therefore, in the Bill it will be necessary in these cases to define a police burgh as an electoral district, and to make a separate register.

*MR. ESSLEMONT: If the contention were that police burghs formed part of the electoral districts, my argument would not prevail at all. But the Lord Advocate proposes that the police burgh should constitute in itself a prescribed area which is defined.

*MR. BARCLAY: It is proposed that the Chief Magistrate of large burghs of over 10,000 population shall not have any representative on the County Council. At present these Chief Magistrates have a seat on the Police Committee for the express purpose of keeping up a connection between the burgh and the county. But under this new arrangement the County Councillor may not be a member of the Police Committee. At present there is a Register for the police burgh, for the Commissioners of Police, and for the Parliamentary voters. My proposal will make no addition to them. The Police Register will continue, and so also will the Parliamentary Register; but I hope that, by and by, the Police Register for the election of Commissioners will disappear and the Parliamentary Register be used for all purposes. I wish to urge upon the Government that this is a practical question. I do not think that the theoretical question of direct representation is in this connection of any practical value, and I do hold that if the Chief Magistrates of these burghs are represented on the County Council it will tend to the harmonious working of the Borough and County Authorities and

increase the weight and influence of the County Council.

SIR GEORGE CAMPBELL: I also object to indirect representation, but I heartily hope that the Amendment will be adopted, and that the Town Councils will be elected on the County Council in the person of the Chief Magistrate, and that there will not be a separate election. Now I should be glad if the Lord Advocate would tell us what is the real distinction in this matter between the police burghs and the smaller Royal burghs. I understand that the former are not to be absorbed in the county as regards sanitary purposes, but I do not quite understand what county rates will be imposed on police burghs which will not be imposed on the Royal burghs.

MR. J. P. B. ROBERTSON: It is a very agreeable duty to impart information to the hon. Member for Kirkcaldy as the Bill progresses, but I hope that what I am about to say will serve once and for all. At present the police burghs are distinguished from the Royal and Parliamentary burghs so far as this question is concerned in this way. The county rates are levied over all the police burghs without regard or discrimination for any parts of the county. But the county rates are not levied in Royal and Parliamentary burghs.

SIR GEORGE CAMPBELL: Which county rates?

MR. J. P. B. ROBERTSON: If I must condescend to particulars, which, however, the hon. Member could easily obtain for himself, I should say the general county rates; and there is no subtlety or finesse in that definition. Now the Royal and Parliamentary burghs will continue to be exempted from that levy. That is a very important proposition. We propose that they shall go into the Councils only for such purposes as they are assessed for. They accordingly do not go in for the general county assessment. If we regard the Royal and Parliamentary burghs as a class by themselves, apart from their size, they will stand outside the County Council altogether, but we think that for purposes of convenience it is desirable that the smaller burghs even if they are Royal or Parliamentary burghs should come under the rule, and that the administration of the police should be concentrated, and we therefore propose that they shall be subject to certain rates, and accordingly have the privilege of representation. The Royal burghs will only have a limited interest in the County Council, because some of their functions are entirely independent of the county, however small the population may be. They will, however, only be represented where the population is under 7,000, and then only for limited purposes.

MR. CALDWELL: I should hardly think it advisable that in that case the Provost should be an *ex officio* Member of the County Council.

MR. W. SINCLAIR: I should strongly object to the Provosts being made *ex officio* members.

Question put, and negatived.

Amendment proposed, clause 7, page 2, line 21, at end of Clause add "but no person shall be registered for more than one electoral division of such county."—(*Mr. Caldwell.*)

MR. J. P. B. ROBERTSON: I think there is no need for this Amendment for the Bill enacts that each elector shall only have one vote. The hon. Member for the St. Rollox division will also find in our new registration clause that we introduce the old system of Parliamentary representation, and that it is impossible for the Sheriff to put the same name twice on the same register. I hope the hon. Member will regard this as a satisfactory explanation.

Amendment, by leave, withdrawn.

Clause 7 agreed to.

Clause 8.

Amendment proposed, Clause 8, page 2, line 23, after "division" insert "of a county."—(*Mr. J. P. B. Robertson.*)

Amendment put, and agreed to.

*MR. MARK STEWART: I beg to move, to add at the end of this clause the words "and no woman shall be elected to serve as a County Councillor." I think the reasons for this Amendment are obvious, and though I believe the words of the clause may convey the intention of these words, it is not at present clearly expressed. Although women are elected to serve on School Boards, I think it will be held by the majority of our fellow citizens that it would be unseemly for them to take any active part on the County Councils.

Amendment proposed, Clause 8, page 2, line 24, after "County," add "and

no woman shall be elected to serve as a County Councillor."

MR. J. P. B. ROBERTSON: I agree with the hon. Member that this Amendment in some form or another should be adopted, and I am, therefore, quite prepared to accept the proposition. On the introduction of the Bill, I stated, without the smallest compromise or hesitation, that the intention was that women should not be eligible as County Councillors. I adhere to that view now, and am prepared, if this is considered the suitable occasion, to adopt the proposal of the hon. Member. I would suggest, however, that as I have a clause on the Paper dealing with disqualifications it may be more convenient to consider this question of women representation at that point.

*MR. CAMPBELL-BANNERMAN: As a matter of convenience I think it would be well to follow the suggestion of the Lord Advocate. The subject may best be dealt with in the disqualifications clause, and it would not be right to interpose the question in this place.

DR. CLARK: In the clause there is a provision that certain persons may be elected, which is qualified afterwards by the use of the word "he." I shall move to insert the words "or she." There ought to be no ambiguity on this point.

MR. J. P. B. ROBERTSON: That is merely a question of construction. I repeat I do not think it would be right to raise the point now.

*MR. JAMES STUART: I should have been glad if the word "person" had been held to include the word "she," because if it had we should have had at this moment the advantage of women Councillors in London.

Amendment, by leave, withdrawn.

Clause 8 agreed to.

Clause 9.

SIR G. CAMPBELL: I wish to move an Amendment in order to get the solution of a point of extreme obscurity as to the meaning of the term Royal and Parliamentary burghs. I wish to add before burghs the word "municipal." As the clause at present stands there will arise great confusion on this point, as these burghs often overlap one another. What effect, for instance, will this clause have on the borough of Dysart, in the case of which the Royal burgh is limited, the Parliamentary burgh is more extensive, and the Municipal burgh still more extensive.

Amendment proposed, Clause 9, page 2, line 25, before "burghs," insert "municipal."

MR. J. P. B. ROBERTSON: The plea as to Dysart is irresistible; but I cannot charge my memory just now whether it is a Royal or a Parliamentary burgh.

SIR G. CAMPBELL: Both. It is a small Royal and a large Parliamentary burgh.

MR. J. P. B. ROBERTSON: I am not quite certain what is the population.

SIR G. CAMPBELL: The population of the Royal and Municipal burgh is about 3,000, and of the Parliamentary burgh 10,000 or 12,000.

MR. J. P. B. ROBERTSON: Then the situation is this: The Bill proposes that the burghs shall be constituted according to the Rolls Act, and therefore the hon. Gentleman will know quite well how Dysart stands in this matter. I shall be happy on the appeal of the hon. Member to consider the case of Dysart, and to give readily any remedy which the hon. Member may suggest.

SIR G. CAMPBELL: It seems to me the reply of the Lord Advocate leaves the matter utterly obscure. Surely a Member who represents a considerable burgh is entitled to know whether or not the clause will affect it. The observations of the right hon. Gentleman make it clear to me that he has not considered this point, and that he is not prepared to say whether a Royal and Parliamentary burgh means a Royal burgh or a Parliamentary burgh.

MR. J. P. B. ROBERTSON: I shall be glad to confer with the hon. Member, if he will be so kind as to allow me to do so, on the subject, and I feel quite certain I shall be able to satisfy him.

SIR G. CAMPBELL: Then I will withdraw the Amendment, on the understanding that this matter will be cleared up before we reach the Definition Clause.

Amendment, by leave, withdrawn.

*MR. CAMPBELL-BANNERMAN: I have an Amendment to move which is not on the Paper, and it is to substitute for "census of 1881" the words "last census for the time being." A population of less than 7,000 involves the inclusion of a burgh in the county. But supposing the burgh is an increasing one, is it for all time to be deprived

of its full powers because at the date of the Bill passing the last census available showed a population of less than 7,000? The object of my Amendment is to make the limit adaptable to changed circumstances. I hope the Lord Advocate will be disposed to agree to something in the shape of a rising or falling scale.

Amendment proposed, Clause 9, page 2, line 25, leave out the words "census of 1881," and insert "the last census for the time being."

MR. S. WILLIAMSON (Kilmarnock): This is a Bill for the improvement of Local Government in Scotland, and I hope that the Lord Advocate will allow it to take a wider range than it now does. I could mention the case of a burgh in which, since 1881, large works have been established, and which now has a population of 9,000 persons, but which, if the Bill becomes law, will not reap the benefits of this clause as now framed. If the Bill is to be of practical utility, I think the Amendment ought to be accepted.

MR. CRAIG SELLAR (Lanarkshire, Partick): I am interested in a burgh, the population of which in 1881 was under 7,000. Now the population is over 9,000, and therefore the case seems to be stronger than that quoted by my hon. Friend who last spoke. I should prefer to take the precedent of the English Act and the Roads and Bridges Act, in which the population at the time of the passing of the Act was taken as the standard.

MR. MUNRO FERGUSON: I do not know whether the Lord Advocate would care to have another case brought under his notice, but I might mention that of Portobello, which, since the Census of 1881, has passed the standard of population mentioned in this clause. It objects in the strongest manner to come under this limitation, and I therefore hope that the Lord Advocate will allow this Amendment to be accepted.

SIR ARCHIBALD CAMPBELL: I would urge the claim of Renfrew, one of the most ancient Royal burghs in Scotland. I believe that at the present moment that burgh is only within two or three hundred of the limit of 7,000 of population, and it is difficult to justify its exclusion from the benefits of the clause. I may add that I hold that the police of the burghs are better able to deal with small local disturbances, such as those which occur on Saturday nights, than are the county police. I think we ought to have an elastic clause, and I trust that the Lord Advocate will give this matter his careful consideration.

*COLONEL MALCOLM (Argyllshire): I also have a considerable interest in this point, for I believe that if, in the case of a town with which I am connected, the census had been taken at a different period of the year the population would have been returned, not at 4,000 or 5,000, but above the required 7,000. The inhabitants of the burgh, which is a police burgh, have during four or five months of the year to supply roads, water, and sanitary arrangements for a population of from 15,000 to 20,000. I therefore gladly support the Amendment of the right hon. Member for Stirling Burghs, and hold that anything should be taken as the standard rather than the Census of 1881.

*MR. SHAW-STEWART (Renfrew, E.): I have the honour to represent a borough which in 1881 had a population of only 4,000, and the population of which is now over 7,000, and that is just one of those cases in which elasticity is required.

MR. J. P. B. ROBERTSON: I think it would be better to deal with the question in a more general way than is done in the Amendment of the hon. Member. The Government have every desire to meet the views of those who have shown their capacity to maintain a Police Force in an efficient state. I will undertake to bring up a clause on Report carrying out what I understand to be the desire of the Committee—namely, that the population at or about the time of the passing of the Act should be ascertained and that that should be the standard.

*MR. CAMPBELL-BANNERMAN: I am afraid that that does not meet my view. I am not interested in any individual places, the burghs which I represent being either hopelessly small or securely large. What I want to provide for is the future—I wish to secure that places the population of which, owing to a development of industry, may suddenly rise from 3,000 or 4,000 to 10,000 or 20,000 shall come under the operation of this clause,

and shall have the control of its own police. Surely it is only equitable and reasonable that there should be some sort of provision made to meet these cases, so that because a community did not happen to have the necessary 7,000 of population, it shall not be hopelessly excluded from the exercise of these ordinary privileges.

MR. J. P. B. ROBERTSON: It is one thing to preserve existing and effective organizations, and another to increase the number of those bodies. My impression is that before such new populous places as are contemplated by the right hon. Gentleman arise, there will be in the County Councils powerful and efficient popular bodies which will defy competition from smaller bodies.

Amendment, by leave, withdrawn.

MR. S. WILLIAMSON: I have the following Amendment on the Paper, Clause 9, page 2, line 27, after "thousand," insert—

"Except such burghs as may have maintained an efficient police force under any local or special Act of Parliament for a period of not less than ten years prior to the passing of this Act, and such burghs as have been formed since the census of one thousand eight hundred and eighty-one, the population of which shall be declared by the Sheriff of the county to be not less than seven thousand on the passing of this Act."

As I understand the Lord Advocate intends to deal with this matter in a generous spirit, I will not press it.

Amendment, by leave, withdrawn.

Amendment proposed, Clause 9, page 2, line 32, leave out from "the," to end of sub-section, and insert—

"Town Council of such burgh, at a meeting of the Town Council to be held in the month of November, in the year appointed by this Act, for the election of County Councillors."—(*Mr. Barclay.*)

Agreed to.

Amendment proposed, Clause 9, page 2, line 34, leave out Sub-section (2).

Amendment put, and agreed to.

Further Amendment proposed, Clause 9, page 2, line 38, after "years," insert—

"Provided that his term of office as a County Councillor shall terminate when he ceases to be a Town Councillor, and the Town Council shall fill up any vacancy arising under this sub-section at their first meeting after such vacancy occurs, but such appointment shall only be till the end of the next County Council Election."

Agreed to.

**MR. D. CRAWFORD*: The next Amendment which stands in my name raises a matter of some importance. I wish to add at the end of the clause the words—

"Police burghs having a population of 7,000 and upwards, shall for all the purposes of this Act, and of the Acts of 1889, be deemed to be Royal burghs."

This Amendment does not affect a very large number of burghs, but still it affects a number sufficiently large to deserve the attention of the Committee. The Lord Advocate in the Bill has already drawn a distinction between towns having a population of under 7,000, and those with a population of over 7,000. It is proposed to make the police burghs of whatever size part and parcel of the county for all the purposes under this Act, and I desire to place them in the same position as Royal and Parliamentary burghs. Are we to be told that an important town of 60,000 inhabitants is to be made part of the county and is to receive its organization from the county because it is a police burgh, while a Royal or Parliamentary burgh of the size of a village is to receive separate representation on the County Council? The distinction between police and Royal burghs is that the former are liable to the County General Assessment levied by the Commissioners of Supply, and the latter are not, and I consider that the distinction is most pedantic. There are large towns and small towns, and common sense demands that they should be treated differently. I will take two classes of towns. In one will be found the police burghs in the suburbs of Glasgow, Kinning Park, Pollokshaws, Govan, Govanhill, Maryhill, and Partick, while in the other class are Alloa, Kirkintolloch, Johnstone, Motherwell, and Wishaw. Take for instance the towns in the latter class. In the case of the police burgh of Motherwell the town has a population of 20,000, and is separated only by the Clyde from the Royal burgh of Hamilton. Is it reasonable that the two towns though nearly alike in population and importance, should be treated for all future time in an entirely different manner? The microscopic difference between the two is that the police burgh is subject to the County General Assessment, while the Royal burgh is not. Again, in the case of Govan with its population of about 60,000, are

we to be told that that large community is to be made part and parcel of the county, is to receive its organisation from the county and is to be represented as part of a county, whereas a mere village, because it happens to be a Royal burgh is to be regarded as a separate and independent community? Surely there is no reason for maintaining such an absurdity, and there can be no defence for perpetrating such an anomaly as this. I have great respect for these ancient institutions, and should be the last person to destroy the privileges of Royal burghs, but I can see no reason why towns which have raised themselves into as high or a higher position than the Royal burghs should not be placed on at least an equal footing with them. I cannot but think that the Lord Advocate will admit the justice of my Amendment, which I now beg to move.

*THE CHAIRMAN: Order, order! The Amendment can only apply to this Act, and not to all Acts whatsoever.

*MR. CRAWFORD: Then I will make the necessary omission.

Amendment proposed, Clause 9, page 7, at end of clause, add—

"Police burghs having a population of seven thousand or upwards shall for all the purposes of this Act be deemed to be Royal burghs."—(*Mr. Crawford.*)

MR. J. P. B. ROBERTSON: I am sorry I cannot accept the Amendment. The policy of the Government has been to take the burghs as they found them, with their respective privileges. Besides, in substance the Royal and Parliamentary burghs are outside the county, whereas the police burghs are inside the county, especially in the most vital matter of rating. We are engaged in setting up a system of county government, and it is not wise to make all manner of obstructions and subtractions from the county or to raise up fresh barriers and fresh interests in the way of the changes which may hereafter become necessary. The Amendment involves the rather startling proposition that burghs are to be deemed to be Royal burghs when in point of fact they are not. They are subjected to the County Authorities by the chief of all tests—they are rated by the county. The proposal is to pay to the police burghs a compliment which is altogether unfounded in fact. I am most reluctant to do anything to alter the status of burghs in this Bill. I desire to steer a perfectly even keel in the matter, and on these grounds I strenuously object tothe Amendment.

*MR. D. CRAWFORD: I think the right hon. Gentleman has presented a most misleading case. The police burghs are not within the counties, except for the one purpose of county general assessment. With regard to roads, bridges, police, and the whole machinery of Municipal Government, they are distinct. The distinctions on which the Lord Advocate's objections are founded are microscopical, and nobody cares a fig about the county assessment.

*MR. ESSLEMONT: I really think that this is a matter on which the Lord Advocate may well give way. The distinctions drawn by the Lord Advocate are insignificant, and I hold that this is a case in which a compromise might be effected. I see no reason why the Amendment should not be accepted.

*MR. J. B. BALFOUR: I think my right hon. Friend might accept the Amendment. The Parliamentary burghs have a different history from the Royal burghs, but by the Act of 1832 they had somewhat similar privileges conferred upon them; and the police burghs at a later date had certain privileges conferred upon them. There is no reason why these privileges should not be extended so as to equalize the police burghs with the Royal and Parliamentary burghs in the matters in question. I hope the Government will reconsider the question.

SIR A. CAMPBELL: There is one thing which has been forgotten by hon. Members opposite who have supported this Amendment, and that is that the police burghs in the counties will have a voice in the expenditure of the rates. The County Councils will have nothing to do within the burghs. This is a question of considerable magnitude, especially in counties like Renfrew, in which there are are other burghs that are police burghs. If you were to take out all the populous places from the county, you would leave nothing but a skeleton. It would be very hard that the counties should be bereft of the contributions from the large populous burghs whose populations to some extent are a cause of expense for police and other purposes to the county. I should be very sorry indeed to find the

County Councils bereft of the assistance of those local bodies who have shown themselves so well able to govern their own towns. I trust that the Amendment will not be accepted and that the large police burghs will be allowed to remain in the county to assist the county in government.

DR. CAMERON: My hon. Friend has urged as a reason why police burghs should be treated differently from Royal burghs in respect to County Government that those burghs are parts of the county. In framing the last Parliamentary Reform Bill the fact which was considered was not whether the burgh was Royal or police, but the number of the population. In disfranchising burghs never, in one instance, was a burgh spared because of its antecedents being royal or otherwise. There is a practical matter of great importance raised by this Amendment. You, Sir, have ruled that certain words that it was proposed to add to the Amendment would not be in order. I understand your ruling; but it is proposed under this Bill to transfer powers exercised by Justices of the Peace and other Authorities, to the County Councils, and among other important powers which will have to be discussed at considerable length, are the licensing functions of the county. Now, if these are transferred from the Justices of the Peace to the County Councils the question of licensing in the police burghs will be raised. At present the police burghs have no licensing power whatever. Govan, with its population of about 60,000, has no voice in the issue of new licenses, and that is a matter which occasions constant friction between the County Authorities and the inhabitants of the burgh. I remember in the neighbourhood of my own constituency — in Pollockshields — a protracted fight occurring on the licensing question. The County Authorities came in and granted licenses where they were not wanted, the Local Authorities having no power to interfere; and the same thing occurred at Hillhead. If this Amendment is carried the Police Commissioners or Magistrates in Parliamentary burghs will have precisely the same powers in regard to licensing as the Magistrates have in Royal burghs, where the licensing powers have been truly exercised for the benefit of the people. Every Scotch Member will admit that it would be well to give the Magistrates in police burghs the same powers as are possessed by the Magistrates in the Royal burghs.

MR. S. WILLIAMSON: The Lord Advocate objects to the subtraction of these very few police burghs. He should recollect that by so doing he weakens the power of Local Government; and his Bill is not entitled a Bill for the improvement of Local Government, but for the improvement of County Government. He should remember that we are now suffering from congestion, and that the people cannot get the Road Trustees of the county to deal with the various proposals that come before them. I think it would be far better to stick to the idea embodied in the title of the Bill, and accept the Amendment.

MR. CALDWELL: I oppose the Amendment for precisely the same reason that the hon. Member for the College Division of Glasgow supports it. He says the licensing will be transferred from the counties to the burghs, which will be created under the Amendment. But I say the Government have not the intention of transferring the licensing in the manner suggested. Certain burghs pointed out by the Lord Advocate are enfranchised only to the extent of £4, whereas other burghs have a much lower franchise. If the police burghs were turned into Royal burghs they would have all the advantages of Royal burghs without the disadvantages.

MR. J. WILSON (Lanark, Govan): The Magistrates of Govan are regulated by the Police Burghs Act, and have no power of licensing. They are responsible for the law and order of a large working class population, without the power of restraining the issue of licences. They have to take up persons who trangress the licensing laws and punish them, without possessing power to deal with the issue of the licences. I hold it to be necessary, in large and populous police burghs, that such authorities as the Magistrates and Police Commissioners of those burghs should have in their hands the granting or withholding of licences. This licensing question will have to be dealt with in a drastic manner at a very early date. As to the surrounding burghs of Glasgow, I am glad the Lord Advocate has determined to keep a free hand, and not complicate the case unneces-

sarily. On behalf of Govan, most determined opposition would be given to any proposal for annexation to Glasgow.

MR. ASHER: I beg to move to omit the word "Royal" from the Amendment.

Question, "That the word 'Royal' stand part of the proposed Amendment," put, and negatived.

Question put, "That the words 'Police burghs having a population of seven thousand or upwards shall for all the purposes of this Act be deemed to be burghs' be there added."

The Committee divided:—Ayes 87; Noes 148.—(Div. List, No. 178.)

Clauses, as amended, agreed to

Clause 10.

MR. FIRTH (Dundee): I beg to move the omission of the words which render it necessary that the convener shall be elected from among the Councillors and persons qualified to be such. I desire that the convener should be elected from the widest possible area. In England you can have a chairman elected to a Corporation from outside its own body; and I venture to think that the discretion enjoyed by an English Corporation might very well be entrusted to a Scotch County Council.

Amendment moved, Clause 10, page 2, line 42, leave out all after "council."—(*Mr. Firth.*)

Question proposed, "That the words proposed to be left out stand part of the Clause."

*MR. J. B. BALFOUR: I hope the Government will not accept this Amendment. I consider that even the qualified power which the Bill confers to go outside the Council for a Convener should be removed, and that it should in all cases be necessary to have recourse to those persons who hold a place on the Council to direct election by the people.

Question put, and agreed to.

*MR. J. B. BALFOUR: The Amendment I now propose to move is, in line 14, to leave out the words "or persons qualified to be such." The effect of the Amendment, if accepted, will be to limit the selection of the convener of the Council to the members of the Council. Any power to go outside for a convener—or chairman—ought not to be allowed. If the theory is that the Council is an elected body, the proper course would be to require that all persons who sit on it, including the chairman, should owe their position there to the vote of the electors. This Bill seems to have been framed upon a principle which, I think, would be entirely sound if it were fully carried out — namely, to extend municipal institutions to the counties. Now, we have had great and happy experience of municipal institutions in Scotland, and the custom there is to elect the Provost or the Chief Magistrate from among the elected Councillors. I know of no reason why, if analogous institutions are to be accorded to the counties, the selection should not in like manner be made from those who have undergone the ordeal of popular election. It appears to me that the proposal of the Government involves a certain slight on the elected Councillors, and those by whom they have been elected, because it seems to imply that the County Council may possibly not contain within its own body a person fit to occupy the position of chairman. Now, I do not see why we should be asked to go outside that body if we have the means of getting a good chairman inside. We have had experience in Scotland of other elected bodies, besides Town Councils, such as the School Boards, and we know that, without exception, they elect their own chairmen from among their own number, and do not go outside. If my right hon. and learned Friend were right in supposing that there was likely to be any such paucity or poverty of talent among the elected members as would prevent their being able to find among themselves a person fitted to take the chair, I understand the proposal to make the choice as wide as possible, and doubtless it has been with this view that my hon. Friend proposes to go outside the Council altogether; but the Government propose to limit the choice to Councillors, or to persons qualified to be Councillors. If, however, a person is qualified to be a Councillor, the question arises, why is he not a Councillor? Is it intended that the chairmanship of these bodies is to be a refuge for rejected candidates? Because the person who may be selected outside the elected body must either have been rejected, which I should regard as a disqualification, or else he has not had sufficient public spirit to come forward

and take his chance of election. So that in neither of these cases does there seem to be any strong recommendation. Every inducement should be held out for the best men to come forward as candidates at the elections, but this proposal would tend to prevent them from doing so, as it might lead them to hope that they might be elected to the office of Convener by the Council, although they had not been elected to the Council by the people. I will not take up further time, but I have thrown out these suggestions in the hope that the Government may see their way to accept of my Amendment.

Amendment proposed, in page 2, line 42, to leave out the words "or persons qualified to be such."—(*Mr. J. B. Balfour.*)

Question proposed, "That the words proposed to be left out stand part of the Clause."

MR. J. P. B. ROBERTSON: The right hon. and learned Gentleman the Member for Clackmannan (Mr. J. B. Balfour) has discussed this question in a very fair and business-like spirit, as he always discusses every question that engages his attention, and I propose to follow very briefly the arguments he has put forward. This question, as he has stated, has already been discussed on its merits and with great fulness on the Second Reading of the Bill, when there was a very good exposition of the various views taken of the subject by the different sections of this House. But on the present occasion the right hon. and learned Gentleman the Member for Clackmannan has a preliminary difficulty to settle with the hon. Gentleman the Member for Dundee (Mr. Firth); because the hon. Member for Dundee is so impressed with the desirability of our leaving a free hand to the County Council in the election of a fit and proper person as Chairman of that body, that he is opposed to any restriction of their choice in that respect. Now, I do not suppose that the right hon. and learned Gentleman the Member for Clackmannan can point to a more fitting representative of liberal views on the subject of County Government than the hon. Member for Dundee, and yet the hon. Member for Dundee is in complete sympathy with the Government on this question. I would urge upon the Committee that it is most desirable and important that we should leave an absolutely free hand to the County Councils in this matter, so that they may be able to enlarge the area of their choice should occasion require it. I think the right hon. and learned Gentleman the Member for Clackmannan has rather under-stated the case. We, on behalf of the Government, are merely anxious, not that there should be any doubt as to the County Councils comprising within their own ranks suitable persons for the Chairmanship, but that, over and above the superabundant qualifications of the elected members, they should have some way of raising, if necessary, the standard. That, I think, is also the view of the hon. Gentleman the Member for Dundee. It is most important that the County Councils, charged, as they will be, with so much responsibility, should not be restricted in their choice to those who might influence the selection by the fact of their being elected, but should be enabled to extend their vision so as to include all those who have statutory rights in the business concerned. Under these circumstances, and for these reasons, I cannot doubt that the Committee will refuse its assent to this Amendment.

*MR. CAMPBELL-BANNERMAN, The right hon. Gentleman is free to find such comfort as he may in the support of the hon. member for Dundee. But we on this side of the House have a yet stronger ground of comfort in the knowledge that our view is shared by the great mass of the Scottish people. I do not think the right hon. and learned Lord Advocate will find among his countrymen many expressions of opinion of any weight or influence in favour of the view taken by himself and his Colleagues in the Government. The truth is that we stand upon the old-fashioned idea that anyone who is to be entrusted with the powers of Chairman of a great representative body ought first of all to be able to secure the confidence of the electors of the district in which he has to act. Having said that, there is no more to be said. The Lord Advocate, however, has urged that we should have the power of going outside to make our choice. My answer to that is that there will be a sufficiently wide field of choice inside the elected bodies; and I am very much afraid that if they have the power of going outside in search of some superior

person, they will generally look for some superior person who has not the confidence of the general body of the people.

MR. MARJORIBANKS (Berwickshire): I only desire to say two or three words in support of this Amendment. Everybody with any knowledge of the management of Scotch county business is aware of the great authority possessed by the convener of the county. I do not believe the new system will make the least difference with regard to the power wielded by the person who holds that position in the County Council. I think it would immensely weaken the authority of that individual, if it be possible, as is proposed by this Bill, that he should be a person who has not undergone the ordeal of popular election. I hold it to be absolutely necessary that the conveners of the County Councils should undergo that ordeal. If we go to the question of analogy or precedent I do not think I can select a better analogy or precedent than is furnished by this House. I put it to hon. Members on both sides of the House—would any one think of selecting a Speaker, not from among the Members of this Assembly, but from the ranks of those outside, in the hope of finding some one more capable of filling the Chair than one of the Members of this House? It is for the reasons I have thus briefly given that I shall vote for the Amendment.

MR. FINLAY: My right hon. and learned Friend who has moved this Amendment seems to have forgotten that the convener is to be elected by the Council; and I would ask why is the free choice of the Council to be restricted to those who happen to be members of the elected body? He might be a man eminently qualified for the office of convener, and yet one who has not submitted himself to the ordeal of election. Why should not the County Council be at liberty to appoint some one from the outside? I think that in this matter the Government have chosen a happy medium and have steered on an even keel between the Scylla of the hon. Member for Dundee, and the Charybdis of the right hon. Gentlemen the Member for Clackmannan.

MR. SHIRESS WILL (Montrose): As every member of the County Council is to be elected, it seems to me that that is a strong reason why the convener should be elected. I expected to hear from the right hon. and learned Gentleman the Lord Advocate some substantial reason for the proposition made by the Government which he knows to be a violation of the sentiment prevalent in Scotland. The reasons given by the right hon. and learned Gentleman are two. First, he agrees with the hon. Gentleman the Member for Dundee, and then he falls back on the argument that it is necessary to enable the County Council to raise the standard of fitness. I think that a more gratuitous insult could hardly be offered to any public and representative body than to assume that they will not have within their own limits a fit person to preside over their proceedings, or that they may elect some one from their own number who is not fit to fill that office. I hope the Committee will accept the Amendment.

*MR. ESSLEMONT: I remember that when speaking on the introduction of this Bill the right hon. and learned Gentleman the Lord Advocate said there were certain outside persons connected with municipal government in England of whom we know nothing in Scotland, and that the convener came within this designation; but it seems to me it would be ridiculous that the Chief Magistrates of our burghs should be selected from persons outside the burghs. If you want to raise the standard in the case of the County Councils, it seems to me that the way to do that is by making the highest places in the Council, such as would be aimed at as worthy of the ambition of those who are candidates for the County Councils generally. The hon. and learned Gentleman (Mr. Finlay) talked about common sense. Is it common sense to have representative government; is it common sense to give the people votes; and is it common sense to have a convener who is too fine to submit himself to the suffrages of the vulgar multitude? There is too much common sense in Scotland to accept such an anomaly.

*MR. M. STEWART: I, for one, would give the County Council credit for common sense, and leave it to their option whether they elected a Convener for their own body or not. It is not made a compulsory matter. The County Council are left to act as they like. If they have a good man in the County Council by all means let

them elect him, but if not let them select some one who will undertake the duty.

DR. CAMERON: I have not heard a single argument in favour of the proposition. The Lord Advocate indulged in a little badinage respecting the conflict of opinion between the hon. Member for Dundee and the right hon. Gentleman (Mr. J. B. Balfour); and the learned Member for Inverness appeared to think he had a monopoly of common sense. These are not arguments in favour of the proposition. We want to follow analogy in this matter, for upon the decision of this question will depend whether we are to have a really popular County Council representative of the electors, or a very much weakened body. There is only one way by which the opinions of the people of Scotland can be expressed, and that is by the votes of their Representatives in this House. I think it would be a pity that we should vote on the main question, which would settle the matter, and I therefore move to report Progress in order that the Government may see the strength of the Scotch Members' vote, and perhaps be led by it to re-consider the matter.

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."—(*Dr. Cameron.*)

MR. RITCHIE: I appeal to the hon. Gentleman not to press his Motion to a Division. This matter has already been will discussed, and I would suggest that it would be better for the purposes of the hon. Gentleman if we took the opinion of the Committee on this question before we adjourn to-night.

*MR. CAMPBELL-BANNERMAN: The Scotch Members are not likely to forget that they represent the vast majority of the Scotch electors, whose opinion, rightly or wrongly, is against this proposal; and we hope, therefore, that the Government on this, as on other points, will make some concession. But my hon. Friend suggests something in the nature of a sham fight—that we shall march into the Lobby on a Motion to report Progress, in order to show what is our opinion on this amendment. I do not think that is a satisfactory way of showing our force, and I would rather divide on the Amendment. Perhaps the Government will let what has taken place weigh with them on another stage of the Bill.

DR. CAMERON: I would be willing to withdraw my Amendment if I could believe the Government will be affected as my right hon. Friend imagines. We cannot make much more progress to-night, and I do not see how the time at our disposal could be better occupied than by a Division which will enable the Government to know exactly how the Scotch Members vote.

MR. RITCHIE: Surely the hon. Member sees that the Government would better ascertain how Scotch Members voted if they divided on the actual point itself.

SIR G. TREVELYAN: I am very sorry to be in opposition to my hon. Friend. A great many hon. Members are anxious to get this Bill along smoothly, and I must say that I should be sorry to vote for Progress where we could divide on a question which has already been sufficiently discussed. If my hon. Friend insists on reporting Progress, I am afraid he will find that he will not have in the Division a real representation of Scotch opinion.

MR. J. BOLTON: There is a strong feeling on this subject in Scotland, and I hope the hon. Member will press his Motion to a Division.

*MR. ESSLEMONT: I think the Lord Advocate might give some intimation that, seeing the bulk of the Scotch Members are clearly in favour of the Amendments, he will reconsider the matter on Report.

The Committee divided:—Ayes 57; Noes 159.—(Div. List, No. 179.)

It being after midnight, the Chairman left the chair to make his Report to the House.

Committee report Progress on the Bills; to sit again to-morrow, at Two of the clock.

NATIONAL PORTRAIT GALLERY BILL.
(No. 279.)

Bill considered in Committee, and reported without Amendment.

Motion made, "That the Bill be read a third time."—(*Mr. Plunket.*)

After a few observations from Mr. BARTLEY,

Question put, and agreed to.

Bill read the third time, and passed.

House adjourned at twenty minutes past Twelve o'clock.

HANSARD'S
PARLIAMENTARY DEBATES.

No. 15.] FIFTH VOLUME OF SESSION 1889. [JULY 13.

HOUSE OF LORDS,

Friday, 5th July, 1889.

COMMISSION.

The following Bills received the Royal Assent:—Consolidated Fund (No. 3); Secretary for Scotland.

The Earl of Harrington—took the oath.

NATIONAL PORTRAIT GALLERY BILL.

Brought from the Commons; read 1ª; and to be printed. (No. 144.)

COMMITTEE OF SELECTION FOR STANDING COMMITTEES.

Report from, That the Committee have added the Earl of Minto to the Standing Committee for Bills relating to Law, &c., for the consideration of the Bribery (Public Bodies) Prevention Bill, read, and ordered to lie on the Table.

HIS ROYAL HIGHNESS PRINCE ALBERT VICTOR.
HER ROYAL HIGHNESS PRINCESS LOUISE OF WALES.

Her Majesty's Most Gracious Messages of yesterday considered (according to order).

EARL CADOGAN, in rising to move, "That humble Addresses of Thanks and Concurrence be presented to Her Majesty upon the said Addresses" said:—My Lords, in the absence of the Prime Minister, who is in attendance on Her Majesty at Windsor, it has devolved upon me to invite your Lordships to agree to humble Addresses to be presented to Her Majesty, assuring Her Majesty that this House will cheerfully concur in any measures which may be proposed for giving effect to Her Majesty's wishes as expressed in the Gracious Messages which have just been read. On previous occasions of a similar nature your Lordships have shown an anxiety to take any opportunity which may offer itself of giving further proof of that loyalty to the Throne and that attachment to the person of the Queen and Her family of which Her Majesty has made Gracious mention. My Lords, the Gracious Messages now under consideration deal with two subjects distinct in themselves, but identical in their connection with the welfare and prosperity of the Royal Family, and I venture also to say identical in the interest which they have excited in every one of your Lordships. With reference to the first Message, it cannot be doubted that this House will readily assent to any proposal for enabling the eldest son of the Heir Apparent to the Throne adequately to maintain the exalted position to which he is called, and to prepare himself for the performance of those great and important duties which lie before him. The second Gracious Message refers to an auspicious event, the announcement of which has evoked the strongest expressions of satisfaction from all classes of Her Majesty's subjects. We rejoice to think that the projected marriage of Her Royal Highness the Princess Louise of Wales with the Earl of Fife—prompted, as we have been informed that it is, by the strong and enduring tie of mutual affection—offers the brightest promise for the future of Her Royal Highness and her consort; and I think I may venture, on behalf of this

House, to express the confident hope that the alliance, contracted under such favourable auspices, may prove a continual blessing and a source of lasting happiness to Her Majesty and Her family. I beg, therefore, to move that a humble Address be presented to Her Majesty, assuring Her Majesty that your Lordships will cheerfully concur in the measures which may be proposed for the consideration of the House.

EARL GRANVILLE: I ask permission of your Lordships to second the Motion of the noble Earl, and I will follow his example in saying the very few words I have to say with reference to both Messages at once. With regard to the making of due provision for Prince Albert Victor, I do not think there will be the slightest hesitation on your Lordships' part. The Prince has arrived at an age when due provision ought to be made for him. I think for the first time, by the liberality of the Queen, he will be enabled to live under his own roof. He has already travelled much. He has not only mixed in society, but he has taken his part—a becoming part—in the public functions of this country. He has done meritorious service in the profession to which he belongs. With regard to the other Address, referring to the marriage of the Princess Louise, it has been, partly from my age and partly from other circumstances, my good fortune to move or second many Addresses of a like character. I cannot help remembering that I had the honour 26 years ago of moving such an Address with regard to the illustrious parents of the Princess Louise. On that occasion I referred to what my noble Friend the Lord Privy Seal has also mentioned, the sanction which these marriages have always received from the personal affection and esteem of the contracting parties. I believe this is eminently the case in the present instance. There is not only a union of hearts and feelings, but the marriage has been brought about by long personal knowledge, which is the best augury for the future. The question of Supply rests mainly with the other House, and we look to the Government for guidance in the matter. I have no doubt whatever that if a proper allowance is made your Lordships will most cordially concur in it. At the same time, on behalf of the noble Lords behind me, I may say that we thoroughly join with the Lord Privy Seal in his wishes for every possible happiness to the illustrious personages concerned.

Resolutions agreed to *nemine dissentiente;* the said Addresses to be presented to Her Majesty by the Lords with White Staves.

PUBLIC HEALTH (SCOTLAND) PROVISIONAL ORDER (LINLITHGOW WATER) BILL [H.L.].

A Bill to confirm a Provisional Order under the Public Health (Scotland) Act, 1867, and Acts amending the same, relating to Linlithgow Water—Was presented by the Lord Ker (*M. Lothian*).

Moved, That the Sessional Order of the 5th of March last,

"That no Bill originating in this House confirming any Provisional Order or Provisional Certificate shall be read a first time after Friday the 10th day of May next"

be dispensed with in respect of the said Bill, and that the Bill be now read 1ª.—(The Lord Ker, *M. Lothian*).

THE EARL OF MORLEY observed that the Bill should, according to the Sessional Order, have been read a first time on May 10. It was now July 5. The Bill was introduced into the House of Lords, and it was of great importance that the Sessional Order should be complied with, so that opponents, if there were any, could have ample opportunity of being heard. Last year two Bills, emanating from the Scotch Office, had been introduced long after the date fixed by the Sessional Order. The noble Lord the Secretary for Scotland must make out a strong case to induce the House to dispense with the Order. The Bill, he was informed, had been settled and sent to the Scotch Office on June 1, and he should be glad to know what had caused the subsequent delay. The Office must have their Bills ready in time. If they did not have them ready, it was not fair to place upon the House the responsibility for any evils which might result from the failure of the Bill to pass; whereas the responsibility rested entirely with them who had not got the Bill ready for introduction at the time fixed by the House.

THE MARQUESS OF LOTHIAN thought it would be time for the noble Earl to repudiate responsibility when he (Lord Lothian) attempted to saddle it upon

him. He was as anxious as the noble Earl that the Forms of the House should be maintained. The object of the Provisional Orders was to enable districts to put in force the provisions of the Land Clauses Acts with respect to the purchase and taking of land, and there were statutory forms which had to be gone through in this case. The question was a somewhat complicated one. There were questions of compensation for land taken, and there had been some difficulty in adjudicating. The petition had been before the Sheriff for six weeks, and he did not suppose their Lordships would consider that too long a period. In his opinion, there had been no unnecessary delay on the part of the Sheriff. As to the delay which the noble Earl suggested had taken place at the Scottish Office, the question of compensation was finally adjusted, and came before the Scottish Office on the 1st of June. On the 3rd it was referred to the Lord Advocate in order that the Provisional Order should be adjusted. On the 17th of June, the Provisional Order was received back from the Lord Advocate. On the 20th it was signed by himself (the Secretary for Scotland), and on the 1st of July it was laid upon the Table of this House, and read a first time. Owing, however, to an informant it was not entered upon the Minutes, and the Notice of Motion for the suspension of the Standing Order was given yesterday. He thought he had said enough to show that there had been no unnecessary delay in his Department. As to the necessity for passing the Provisional Order, the Board of Supervision had summoned the Local Authority of Linlithgow before the Court of Session to compel them to provide a sufficient water supply, and they had only consented to suspend further action on the understanding that the Local Authorities should apply for a Provisional Order. It was absolutely necessary, in the interests of the public health, that the water supply of Linlithgow should be improved this year, and he, therefore, hoped their Lordships would agree to the Motion.

EARL GRANVILLE: I think that the noble Earl is perfectly right in calling attention to this matter. As a rule, no doubt, the Standing Orders that have been passed by the House should be adhered to. It is most important that the opinion should not get abroad that it really does not signify at what date these Bills are brought up because the Standing Orders can be dispensed with. Therefore, I should be inclined on principle to vote with my noble Friend (the Earl of Morley) if he thought it necessary to go to a Division. But after the statement we have heard from the noble Lord as to the importance of this Bill, and considering that all parties concerned are in agreement in desiring it to become law, it is probable that your Lordships may consent without a Division to allowing the suspension of the Standing Order in this instance, on the very clear understanding that it is not to be taken as a precedent for the needless disregard of the Standing Orders of the House.

*THE EARL OF MORLEY said, that after hearing the noble Lord he would not divide the House against the Bill; but the noble Lord must not take this as a precedent, and he trusted that in future years the noble Marquess would instruct the Scotch Office to have their Bills ready in proper time.

Motion agreed to; Bill read 1ª accordingly; to be printed, and referred to the Examiners. (No. 145.)

LAND TRANSFER BILL. (No. 8.)

Order of the Day for further proceeding, read.

*EARL BEAUCHAMP: My Lords, the object of the first Amendment, which stands in my name, is to remove from the Bill that portion of it which enforces compulsory registration in cases other than of pure and *bonâ fide* sales. The Bill as it stands imposes not, perhaps, registration, but registration fees in every case of succession to property. The Amendment which I propose limits the operation of the Bill to those cases where a sale, as we ordinarily understand that transaction, is carried out. Referring, as I suppose I am in order in referring, to what took place last week, it was attempted to show that I was objecting to a cheap transfer of land. My Lords, I was not objecting to the cheap transfer of land; I was objecting to the very great cost which, as it seems to me, would be imposed by the machinery provided in this Bill; and I venture to think that whatever may be said upon

this subject, no one who has thought how the Bill would work can be satisfied that the Bill will be one which can be cheaply put into motion. The insurance fees may be small; the office fees may be small; but behind those there lie the expenses which, unhappily, attend all transactions of this description. I admit that recent legislation has done much to diminish the cost of those transactions—to diminish, or endeavour to diminish, the charges of solicitors, and to that no one can object; but what I, for one, object to, is imposing upon the succession to property the same trouble and expense (be it little or great, it seems to me, does not really affect the question) as that which attends the case of *bonâ fide* sale. A great deal of the land of this country never comes into the market at all. No doubt there are cases in which land exchanges hands more than once in the course of a single generation, but that represents but a small part of the landed property of this country. The greater part of that landed property is not made the subject of sale, and I do not see why when it passes from one member of a family to another, either by will or by settlement, the person inheriting should be forced to bear his share of the cost of a general registration scheme. What I, therefore, propose is to omit from the operation of this Bill all persons who may succeed by descent or by settlement. I think your Lordships will be of opinion that if the scheme is one which is wise and good, the public at large will not be slow to avail themselves of it in future when it works satisfactorily. If any advantage is to be gained by the owners of land by putting their titles on the register, they will be eager to do so. If the scheme is so advantageous as its authors represent, the landed interest of this country are not so insensible to their own interests as to refrain from availing themselves of the machinery so provided. But I cannot understand (and I ventured the other day to quote the opinion of Lord Thring as supporting that view) why owners should be compelled to deal with their property in a way which they do not desire. If any great public advantage were to be gained from it something might be said, but then the cost should fall on the public, and not on these unhappy victims of experimental legislation. I do not want to repeat anything I said last week; but I think very few will deny that the sale and transfer of land is an operation not unattended with expense, and it would be quite proper to impose on those who engage in such transactions the cost of placing their land upon the register. But I do not see why land held from generation to generation which does not come into the market at all should be subjected to the harassing visits of registration officials, or why the owner should be called upon the moment he succeeds to produce his title. That seems to me to be utterly at variance with the principles of justice. It was said the other night that, after all, the cost would be paid out of the Consolidated Fund. That is an argument which is hardly worth seriously combating, because anybody who knowns the principles on which our finance is administered knows that all our Law Courts are practically self-supporting, and, though the salaries of these officials will be paid out of the Consolidated Fund, care will be taken that the fees bear the proper proportion to the salaries and expenses. Individual transactions may, no doubt, be carried on with light fees, but the expenses taken as a whole will be considerable. Lord Cairns estimated the cost of each transaction at between £3 and £4, and taking into account the enormous number of transactions, I think your Lordships will see that that will place a very considerable tax upon the landed interest. I would remind their Lordships of the words of Lord Cairns in 1875 on this subject, when he said he for one was afraid of forcing on the people of this country a system which might excite intense dissatisfaction and lead to a sweeping away altogether of the new system of registration. I ask your Lordships to limit the operation of the Bill to cases of *bonâ fide* sale and transfer, and not to make the whole landed interest the subject of so serious an experiment. These are not times when the landed interest can bear any additional burden. I think as a matter of common sense and justice we ought to be quite sure that this system is for the general public good before we force it upon landed proprietors. Are you afraid that your system itself will not be accepted voluntarily? If so, what right

have you to impose it on the country? If you are satisfied that the scheme is a good one and will be accepted, then why compel people to do that which their own interests will prompt them to do?

Amendment moved, Clause 3, page 1, line 23, to insert after "conveyance" the words "not being a settlement." —(*The Earl Beauchamp.*)

THE LORD CHANCELLOR: I trust your Lordships will not accept this Amendment. The discussion affords an illustration of the inconvenience of discussing at this stage what is really a question of detail. If this Amendment had been discussed at an earlier period there would have been no difficulty in giving the noble Earl every information as to what the exact amount of the charge and the machinery that would be adopted and the intervention of the officials would be—things which he seems to assume would be harassing and inconvenient. The noble Earl introduced, once or twice, words which I understand have been used with great effect in speaking to noble Lords outside the House, but which have not been distinctly formulated in the House—I mean the necessity which it appears noble Lords have been assured they would be under of placing their titles on the register. That is an entire mistake. There is no such necessity under the Bill. A mere possessory title will simply prove that a person is in possession, and the machinery by which that can be accomplished is of the simplest possible character. Of course, if each of the Amendments is accepted, the Bill will ultimately be reduced to nothing, which probably is what the noble Earl desires, but it is hardly fair, after the Third Reading, to introduce Amendments which really go the whole usefulness of the Bill. Of course, I do not mean to say that the Bill might not go on if the present Amendments were adopted, but the effect and value of a system of registration of land is that it should be exhaustive, and if your Lordships exclude everything except what has passed by actual sale and transfer, a great part of the usefulness of a register would be gone because a great deal of land does not go into the market at all. So that you would be really legislating for a part of the country, and not for the whole. I do not wish my Lords to discuss this matter at great length. It seems to me that the objections of the noble Earl are really aimed at the Bill itself, and not merely at this part of it.

THE DUKE OF MARLBOROUGH: I wish to ask the noble and learned Lord on the Woolsack one question with regard to a remark which fell from him. He said that under this Bill placing a title on the register would entail no considerable expense.

THE LORD CHANCELLOR: The noble Lord will forgive me, but I did not say so.

THE DUKE OF MARLBOROUGH: I understood the noble Lord to say that the costs, whatever they were, which were entailed by settlement, would not be excessive. But am I not right in assuming that those costs, whatever they would be, would be tantamount to the expenses which would be gone to by an owner who wished to get out a bill of sale or advertisements with regard to putting up the property for auction.

THE LORD CHANCELLOR: I should say certainly not. The noble Duke has quite misunderstood what I did say. I said that so far from placing his title upon the register, it was not in the smallest degree necessary for a landowner to do so. There would simply be the fact of possession.

LORD HERSCHELL: I would like to point out to the noble Lord opposite one effect of his Amendment which I do not think he at present contemplates. His Amendment would not only apply to the first putting of land into a settlement after registration had been made compulsory, but would apply always hereafter to all cases of settlement. I can hardly think that the noble Lord would contend, when once land has been put upon the Register, that, if afterwards in respect of that land a settlement were made, that settlement could not take effect by putting the new owner on the register in place of the person at the time on the register. That is a matter that could not involve any expense in its working, and if you have merely the limitation proposed by the noble Earl, you would have persons, claiming through somebody not on the register at all, who yet would be compelled themselves to register. I think the noble Lord must mean his Amendment to refer to the first putting upon the

register, and not to subsequent dealings with land.

*Earl BEAUCHAMP: I think that, strictly speaking, I am not entitled to reply to the noble Lord, but I would like to point out that if everybody would gain by registering, there is no need of compulsion.

Lord HERSCHELL: I do not think the noble Earl follows my point, which is this:—That when the land is once on the register you ought to compel the registration of all subsequent dispositions with the land, otherwise you destroy the value of any system of registration altogether.

The Marquess of BATH: What I understand the noble and learned Lord to argue is this:—That if the Amendment of my noble Friend is passed land once on the register can be transferred otherwise than by the register. But it is perfectly clear that if land is on the register there is no objection to its being transferred on the register, and my noble Friend's Amendment will not affect that, unless it is proved that it is more expensive to transfer land on the register than to transfer it by the ordinary system of conveyance. If the land is on the register already, there is nothing in my noble Friend's Amendment to prevent its being transferred on the register, nor would anybody wish to transfer it otherwise than on the register. All that we complain of is the compulsory registration, in the first instance, on the register. Then, the noble and learned Lord said that it was not contemplated to compel persons to place their titles on the register, but that all that they were required to register was a possessory title. Well, even for the registration of a possessory title you must have maps and descriptions, which would entail a very heavy expense upon the present owners. Of course it does not fall distinctly upon the present owner, but it falls on the successor to the present owner, succeeding by a will or by a settlement which he is compelled to register. Then the noble and learned Lord says you are only compelled to register a possessory title. That is perfectly true, but supposing a sale is contemplated and the only advantage in registering is to get a good title, you really must go in for an absolute title, because the purchaser, knowing that you had to register a title of some kind, would insist on your registering an absolute title. To go back to the Amendment of my noble Friend, I do not see the difficulty that my noble and learned Friend anticipates. If the property is on the register and it is transferred it will be transferred on the register, and there is nothing in my noble Friend's Amendment to prevent that. The whole point of the Amendment is that it precludes the necessity of registering in the first instance.

On Question their Lordships divided: —Contents 93; Not Contents 119.

*Earl BEAUCHAMP: My Lords, I have to move another Amendment, the object of which is the omission of Clause 33. I do not know whether your Lordships are anxious that the discussion should be prolonged upon this question, but I think it is important that the view of the House should be expressed upon this and the other clauses relating to real property. By retaining this clause your Lordships will be in considerable difficulty upon this part of the question of land transfer. This matter is one purely within the law of real property, and, therefore, I should ask your Lordships to omit this clause in the Bill on the ground that it alters the law of real property. The alterations of the law of real property are so wide, so exhaustive, and so entirely outside the proper object of the Bill, that a provision like this ought really to form no part whatever of the measure. When the Bill was originally framed, this Clause 33, as far as I remember, formed part of Part 4 of the Bill. Whether that was so or not, I think the noble and learned Lord will confirm my view that this is a grave alteration of the law of real property, and, therefore, I ask your Lordships to say that, being an alteration of the law of real property, it ought to form no part of a Bill dealing with the transfer of land.

Moved, "To leave out Clause 33."—(*The Earl Beauchamp.*)

The LORD CHANCELLOR: My Lords, I am unable to adopt this Amendment. If every part of the Bill is to be expunged which deals with the law of real property, I need not tell your Lordships that a very considerable part of it will be taken away. Although,

in a certain sense I should not dispute that if the registration be established there will be alteration in the law of real property, yet some alteration is essential in order to facilitate the carrying out of what is proposed, and it is for that purpose of facility only that this clause is introduced. I quite understand the objection to the law of real property being substantially altered, and I accept the issue in that sense. I cannot adopt the Amendment for the omission of the clause.

LORD HERSCHELL: My Lords, I cannot agree that this in any way alters the law of real property. I think it is a very useful clause. It is a matter strictly in conjunction with the other provisions of the Bill, and it only implies this, that where you have what is called a base fee, the owner may apply to have his title confirmed. It is a most inconvenient form of title, which is only in existence as long as the heirs of the tenant in tail are in existence. When those heirs fail the title comes to an end. This clause only provides that the person who is the owner of the base fee and is on the register may apply to have his title confirmed, and may have his estate in fee simple entered if no objection is taken by any person entitled in remainder or reversion. That seems to be an extremely convenient thing for an owner of a base fee. Of course he cannot touch anybody's rights. That is all that this clause provides, and it really does not at all substantially alter the law of real property. I cannot help thinking that this is an unfortunate occasion on which to raise the issue, because it could be taken directly on the alterations made in the fourth part of the Bill. But if your Lordships will think out the whole of the fourth part of the Bill, you will see that this clause might be made to serve a very useful purpose.

*EARL BEAUCHAMP: Under these circumstances I will ask your Lordships to permit the Amendment to be withdrawn.

Amendment, by leave of the House, withdrawn.

*THE EARL OF SELBORNE: My Lords, I rise to move an Amendment, the object of which is provide that where a person has been improperly registered with a possessory title anyone entitled to the possession or to the receipt of the rents of the property may apply for the correction of the register. The clauses on the subject of rectification, as they now stand, do not apply to merely possessory titles. It is necessary to do this; because, although the mere fact of a possessory title being registered would not by itself operate to defeat or prejudice any prior unregistered right, it might do so in the course of time, by the currency of the Statute of Limitations in favour of the registered title; and a wrong registration, if it could not be rectified, might in the meantime be a serious cloud upon the true owner's title.

THE LORD CHANCELLOR: I gladly accept the noble Earl's Amendment.

Amendment agreed to.

THE MARQUESS OF BATH: My Lords, the next Amendment stands in my name. I propose to ask your Lordships to omit Clauses 74 to 82 inclusive.

THE MARQUESS OF SALISBURY: Would my noble Friend allow me to ask whether he would be satisfied to confine his Amendment to Clause 74, as in case of its rejection I have an Amendment to move on Clause 75.

THE LORD CHANCELLOR: I may inform the noble Marquess that there are Amendments upon some of these clauses.

THE MARQUESS OF BATH: The noble Marquess invites me to limit the Amendment to Clause 74, and I will adopt the suggestion. But in moving the omission of Clause 74, I have to call your Lordships' attention to the fact that the three following clauses are bound up with it, and therefore the omission of the clause will, of course, involve the omission of Clauses 76, 77, and 78, which are all dependent upon it. While the earlier part of the Bill deals with land in the case of intestacy, Clause 74 deals with land left by will and vests it in executors. These clauses, from 74 to 83, constitute Part 4 of the Bill, with regard to alterations of the law of real property. They have nothing whatever to do with alterations in the law with respect to the registration of land, except so far as those who have drawn the Bill have chosen to work as it were one question into the other. The alterations of the law of real property are of two descriptions. First, this part of the

Bill deals with land in the case of intestacy, and next it vests real estate left by will in the hands of the executors of the last owner. Then Clause 75 involves the distribution among all the heirs if there is an intestacy the same as with regard to personalty; and I think Clauses 81 and 82 involve the substitution of an estate in fee-simple for an estate in tail. The clause which I am now asking your Lordships to reject is Clause 74, which vests real property left by will in the executors of the last owner. Your Lordships' attention ought to be called to this essential difference between this clause and the succeeding part of the measure to which we, I think, equally object—that whereas the others are dealing practically with cases of land where there is an intestacy this deals with land where there is a will. As the law stands at the present moment, the person who has inherited landed estate under a will comes into possession immediately the breath has left the body of the previous owner; but if this Bill passes the property will rest in the hands of executors, and the successors may be kept out of it for a year or more while they are proving the will, and he will be unable to exercise any control over his own property. That is the law now with regard to personalty, and, of course, with regard to personalty it is perfectly unobjectionable; but your Lordships are acquainted with the operation of the law with regard to landed property, and the difficulties in connection with its management. The management of landed property is an onerous task; and I would ask your Lordships to consider how it is possible for executors to satisfactorily discharge the work of managing real estate for twelve months? They could not manage it for any length of time in a satisfactory manner. A noble Lord has brought in a clause giving power to the rightful owner to compel the executors to hand over the property to him after the lapse of a year. But, during a year, many questions may arise which executors could not well decide with regard to labour in keeping the place up, receiving notices from tenants renewing leases, repairs of farms, &c. All those matters are to be left in the hands of executors possibly hostile to the new owner, and whose sole care may possibly have been to do nothing, at any rate, which might compromise themselves. My Lords, I do not wish to trouble the House unnecessarily, but I think this is a subject which requires to be fully considered. I would, however, refer to one matter, and that is Sub-section 3 of Clause 74, which provides that probate and letters of administration may be granted in respect of real estate only, although there is no personal estate. If your Lordships will read Clause 80 you will see it states that land is not to be made the subject of Probate Duty or Legacy Duty; but I would ask what chance there is at the present day of land remaining long free from Probate Duty if probate has to be taken out. This is not merely the thin end of the wedge towards placing a Probate Duty on land; it is half the wedge. There is already a disposition to tax land upon succession in every manner possible. Of all the burdensome forms of taxation with reference to succession, a duty upon land in these days of agricultural depression is the most onerous. Your Lordships will agree that that form of taxation is certainly the most burdensome, and if you allow this clause to pass you will have opened the door to still greater difficulties. I ask your Lordships, on those grounds, whether you are not placing landed property in a position which will make it impossible for it to be properly managed during the period that executors may hold it, and I hope, therefore, that your Lordships will reject the clause.

Amendment moved, page 35, to leave out Clause 74.—(*The Marquess of Bath.*)

THE DUKE OF MARLBOROUGH: My Lords, I confess I have not an absolute knowledge of the bearing and scope of the whole of this Bill; but it seems to me that Clauses 81 and 82 will involve a great change in the settlement of land. By these clauses the son of a tenant for life would have the right to sell the land and heirlooms of an estate, because he would have an absolute reversion of both. As your Lordships are aware, with regard to what are called heirlooms, if a father makes a settlement with his son, upon that son coming to the title on his father's death he gets a life interest in the property only. That property would be of a two-fold description: it is land and it is heirlooms. When the successor has a

son in turn, and that son comes of age, he has a remainder under the settlement which was created by the father and grandfather. As your Lordships are aware, that son, when he comes of age, becomes absolute possessor of the heirlooms subject to his father's life interest in them. But that is not the case with regard to land; the son has to live beyond his father in order to succeed. With regard to the heirlooms, the son can sell those heirlooms to anybody the day he comes of age, whether his father likes it or not, subject, of course, to his father's enjoyment of them during his life. But he cannot do so with regard to land. Your Lordships are aware that one of the customs most observed is that when the son comes of age, in consideration of the income given to him, he concedes his right, being given a life interest as entailed heir. Now, the operation of this Bill is to put land in exactly the same position as heirlooms, so that when the son comes of age, after this Bill has passed, he would, in the natural course of things, succeed absolutely not only to the reversion of the heirlooms, but to the absolute reversion of the land. A son will not be in a position to make terms with his son. There will be nothing to offer him, and the son will naturally say—"Why should I settle this property? I have got this property. I can sell it to A, B, C, or D to-morrow, subject only to your life interest in it." Therefore, in the nature of things he is not going to settle it. My Lords, we should be clear in our minds whether we desire that that should be the state of things, because I think your Lordships will see we are embarking on a change, and one which I regard as of great magnitude. Then, with regard to another point, your Lordships are aware that by Lord Cairns' Act of 1882 a tenant for life was given absolute power to sell the land—that is to say, he was practically made sole trustee of the property, and in him was placed a discretion as to sale, as to price, and, in fact, generally under the wording of the Act; but a power was reserved, and that power was with regard to the sale of the mansion-house. If my proposition is right with regard to the position of the heirlooms, and after the passing of this Bill of the land, the position will be very different to what it is now, when the owner cannot sell the house. The son, when he comes of age, if he does not like to oblige his father will say—"It is all very well, but I can sell the property, and I will sell it." This may not be an arrangement which will do any harm, but it is a change which will entail very great difficulties. I venture to suggest that it is sowing seeds of difficulties which I cannot see my way out of.

THE LORD CHANCELLOR: My Lords, I think the noble Marquess has wandered somewhat from the particular matter now under discussion. No doubt it is the object and intention of this Bill by subsequent clauses, which are not at present under discussion, to make personalty and realty subject to the same laws, so that you may do with regard to realty what you can do with personalty, and *vice versâ*. That is the whole object of the Bill. With regard to the clause under discussion, the noble Marquess has drawn a picture of evil consequences which will result from it, and has suggested that the person entitled may be kept out of possession by the acts of ill conditioned executors or representatives. I cannot agree with him. It is all very well for the noble Marquess to use the phrase he did as to the persons inheriting coming into possession; but it is not accurate, because the landed estate passes to the executors. I do not think the evil consequences anticipated by the noble Marquess are likely to arise. Difficulties have arisen in cases where the land is held under lease. Has the noble Marquess not experienced those difficulties when land happens to be so held? There is a provision here intended to deal with those difficulties. The executors may assent instantly to possession being taken, and may allow the person entitled to go into his own house. These difficulties are familiar to those connected with the law. Ever since I have known the profession everybody has been craving for a real representative at the time of death by which the difficulty might be met, while determining who is really entitled under such testamentary dispositions. Recent legislation has done much to diminish these difficulties, and in that respect, my Lords, I think this will be a valuable

alteration of the law as regards a very large portion of the land in this country held under lease.

*EARL BEAUCHAMP: The whole policy of Parliament for many years has been to extinguish leaseholds and qualified interests in land, to which the noble and learned Lord now points as an example to be imitated. It is my belief that the difficulty intended to be met by the sweeping changes of this clause has been very much diminished by the beneficial operation of the recent alterations in the law of real property to which I have referred. I have a question to put to those who are responsible for this Bill. The point was not raised before the Select Committee, because my attention was not then called to it. The question I want to put is—how, in future, estates are to be carried on until probate is granted? You are now admitting that landed property is to be subject to the same law as personalty. Suppose a person succeeds to a large estate in the funds, the money accumulates and no great harm is done in case of delay in granting probate. But the case is different with respect to landed property if the successor is kept out. Landed property is subject to waste, mismanagement, and a variety of incidents; and the question I want to put is this—suppose a will is litigated, how is a landed estate to be carried on for any considerable time until probate is granted? You are to vest freehold landed property in future in the representatives. The executors are to become representatives of the realty. I want to know, in case of difficulties arising which may involve litigation, what is to be the position of the real estate during that period? Certainly the estate would be subject to very great injury. The heir would probably be kept out of the estate, and I do not myself see how it could be properly carried on. Recent legislation, as the Lord Chancellor has said, has done much to diminish the difficulties of dealing with these estates; so as to avoid serious risk of maladministration. The administration of real property has really nothing whatever to do with the question of land transfer, which is the subject of this Bill, and this clause is not necessary. I would ask the authors of the Bill to consider what would happen in the case of a will being litigated, perhaps for years, the estate being tied up, and the persons responsible being prevented from doing things absolutely indispensable for the proper management of the estate.

*THE EARL OF SELBORNE: My Lords, so far from there being any new difficulty created in the case of a will of doubtful construction, there will be less difficulty under this Bill than in the present state of the law. If there be disputed questions as to the succession to real estate, and the matter is sharply litigated, it may remain open for years; the difficulty which the noble Earl has mentioned, is, therefore, inherent in the present state of the law. It might be possible, no doubt, by the exercise of the powers of the Court in which the litigation took place to appoint a receiver or to adopt other measures to provide for the management of the estate during the litigation. All that would happen upon this Bill coming into operation would be that the proper Court would grant probate or letters of administration. It might, in the case which the noble Earl supposes, grant temporary administration with the same powers as belong to an executor or to a general administrator. Having said that in answer to the noble Earl's difficulty, I should like to give your Lordships any assistance that I can in regard to the operation of the clause in question, and that the more impartially, because I have never individually been so strongly impressed as some others with the necessity for such a change. As this has been done by the Select Committee, I think it ought to be considered in another place; and I, for one, cannot undertake the responsibility of wrecking the Bill, in this last stage, for the sake of any opinion which I may entertain upon this point; especially as I think there is no sufficient reason for feeling great alarm regarding the effect of the Bill as it stands. The effect of the Bill as it stands is simply this: Upon the death, it is proposed to vest the property in the executor or the administrator. That seems at first sight to be open to two objections—that you may keep the real owner out of his property, and that you may impose upon the executor or the administrator a new responsibility which may deter him from accepting that office. I will take the last objection first, because that would

be a very serious objection, indeed, if nothing were done by the Bill to provide against it; but the 77th clause provides that from the very beginning, from the moment of the death, the executors or administrators, if they prefer devolving the duties and burdens and whole management of the property upon the person beneficially entitled to it, may do so. They need not undertake the trust or the responsibilities, as to the real estate, unless they choose, but if they find that the beneficial owner is willing to take possession of the estate, subject to the legal burdens affecting it, the 77th clause enables them to put him on the Register from the very beginning. Therefore, from these duties, which at first sight seem so onerous, they can relieve themselves whenever they please. Then there is provision made for winding up their administration, in the case of their accepting the duty, and being registered, in the first instance. At the end of the first year, the persons beneficially entitled may claim to be put upon the Register instead of the executors, and they are permitted, if necessary, to go to the Courts for that purpose. Unless some good reason can be shown to the contrary, an order for that purpose will be made. Then the question is asked, where the property is not sooner transferred, what is to become of it during the year, or the period while the estate may be held in trust? The 76th section says that personal representatives are to hold as trustees for the persons by law beneficially entitled. Nobody ever yet, I suppose, heard of an executor saying to the person beneficially entitled to a leasehold house, or other property, you shall not go into the house, you shall not manage the property, you shall not deal with it by letting, and so on, if he were certainly entitled. If it were really necessary or justifiable for the executor to insist on remaining in possession, he would himself be obliged to discharge all duties in relation to the property, and to act as owner like any other trustee in possession. There is really very much less reason for alarm about this clause than the noble Earl supposes: though I do not myself take the same view of its importance that some others may do.

On Question, "That Clause 74 stand part of the Bill," their Lordships divided:—Contents, 113; Not-contents, 122.

*THE MARQUESS OF SALISBURY: My Lords, as this clause is connected with enactments that are vital to the Bill, I do not think that in the circumstances it is advisable to proceed further with the measure.

Bill, by leave of the House, withdrawn.

THE STANDING COMMITTEES.

QUESTIONS—OBSERVATIONS.

THE EARL OF MINTO: My Lords, in pursuance of the Notice which I have given, I have to ask the Chairman of Committees why it is that the Standing Committees, contrary to the established practice as to the sittings of other Committees of the House, are habitually appointed to meet at the same hour as is appointed for the House itself to meet for public business?

EARL CADOGAN: My Lords, in the absence of my noble Friend the Chairman of Committees, perhaps I may be allowed to inform the noble Lord that at the last sitting of the Standing Committee for General Bills it was agreed that they should meet at 3 o'clock.

LORD HERSCHELL: It has been determined that the meetings of Committees should be at the hour which might, on the whole, be best under the circumstances. The reason why the Committee on Law meets at 4 o'clock is that the legal members of that Committee are generally engaged till that hour in their judicial duties.

BETHNAL GREEN POOR'S LAND.

QUESTIONS—OBSERVATIONS.

EARL FORTESCUE: My Lords, I rise to ask Her Majesty's Government whether, in contravention of the words of the trust deed forbidding the erection of any building on the land amounting to 6½ acres known as Bethnal Green Poor's Land, the Charity Commissioners intend to sanction the erection of a free library and townhall and an infirmary thereon?

*THE EARL OF MEATH: My Lords, when the Legislature gave powers to the Charity Commissioners for the management of these trusts, and to carry them

out in such a manner as they thought would be best for the interests of the population of the Metropolis, those powers were given with the view that they should carry them out, taking into consideration the particular condition of the population of London. This land was purchased in 1690 for the purpose of being continually kept open for the people, and I would ask your Lordships whether the population is not much more numerous and crowded to a very much greater extent in the district now than it was 200 years ago. How, then, can the Charity Commissioners think they are carrying out the wishes of the Legislature if they erect buildings on this land? If they think fit to allow building upon it are they not going in distinct contravention of the intentions of the Legislature that the charity trusts should be used with due regard to the public requirements. Can it be said that open spaces are less needed now in that neighbourhood than they were 200 years ago? Can it be said that the population is less numerous now than it was 200 years ago? The Charity Commissioners cannot believe that they are carrying out the wishes of the Legislature unless they believe that is so. How strong the feeling is upon the subject is shown by the petition signed by some 400 people in the parish expressing the hope that this open space will be preserved. On the other hand, there is a petition signed by only 130 persons. That shows that public opinion is somewhat divided upon the matter. If these buildings be erected there will be very little land left to be devoted to the purpose for which it was originally intended. I hope an expression of opinion will be given which will show your Lordships' feelings in this matter, and which will intimate to the Charity Commissioners that if they allow buildings to be erected on this land they are not doing as was contemplated by the Legislature.

THE LORD CHANCELLOR: The noble Lords do not seem to be aware that the Charity Commissioners are pursuing the course laid down by Act of Parliament. They have not yet presented a scheme, though no doubt a draft scheme has been arranged for the management of the charity on the recommendation of a majority of the trustees. There are two branches of the charity—the object of one is to make provision for the poor, and the other is in reference to dealing with the land. When the scheme is presented, the Commissioners are bound by statute to hear and consider all the objections made to it, and if they should decide wrongly the statute provides a remedy by appeal to the Court of Chancery. The matter is in due course of law arranged by the proper authorities, and I think I have said enough to show that any expression of opinion on the subject by Her Majesty's Government would be entirely out of place.

EDUCATION (LUTON).

"Recent correspondence between the managers of the National School, Luton, Beds., and the Education Department, in reference to a proposed loan to be raised by the Luton School Board upon the security of the rates."—(*The Earl of Beauchamp.*)

Ordered to be laid before the House.

MASTER AND SERVANT BILL (No. 111).

LORD HERSCHELL: My Lords, in moving the Second Reading of this Bill, I may state that its object is to repeal a number of obsolete provisions—all provisions which have remained unrepealed by other legislation—in relation to the law of master and servant. A number of Bills were passed at different times relating to particular industries and particular places. Many of them are covered by general legislation passed since. Some of the Labour Acts have been repealed as regards England, and left unrepealed for some undiscoverable reason as regards Scotland and Ireland. None of those provisions ought to be in existence at the present time. I may give one illustration as an example. An Act was passed forbidding journeymen shoemakers to sell, exchange, or pawn boots, shoes, or slippers, or materials for making boots, shoes, or slippers. There is no necessity nowadays for having any special legislation with regard to journeymen shoemakers, or other legislation than that which applies to all other workmen under all circumstances. There is this, also, to be added with regard to that particular Act—that it does not apply to all journeymen shoemakers, but only to those within the bills of mortality for the Metropolis. That is an instance of the kind of legislation upon this subject now remaining on the Statute Book, and which only encum-

bers it for no useful purpose. I beg, therefore, to move that this Bill be now read a second time.

Bill read 2a (according to Order) and committed to the Standing Committee of Bills relating to Law, &c.

COAL DUTIES (LONDON) ABOLITION BILL (No. 143).

SECOND READING.

LORD BALFOUR: My Lords, in moving the Second Reading of this Bill, I may say that the measure is extremely simple. There is a somewhat longer preamble than usual, but that preamble consists simply of the recital of various Charters which have been granted from time to time, and Acts of Parliament which have been passed with regard to the Coal Duties leviable within the Port of London. Upon page 7, a recital is given of the terms of their extension from 1872 down to 1882, and then down to the present year. Then comes a statement in the Preamble that it is expedient those duties should cease. In the next paragraph there is a recital of the terms of the Acts of Parliament of 1869 and 1874 which give power to the Corporation to pledge the proceeds of these dues for the purpose of raising money for the freeing of Kew Bridge and other bridges over the Thames. The next paragraph recites that Parliament reserves to itself the power to deal with the surplus arising from that fund. The enacting part of the Bill consists of two clauses. The first clause enacts a general repeal of those duties, but there is added to that a proviso that to the extent of 4d. the duties are to continue in force for one year from the present date. I need hardly tell your Lordships that this matter has been the subject of controversy in another place. Two Bills were introduced in the other House, one for the continuance and the other for the abolition of these duties. They were introduced early in the Session, and the First Reading of the Bill which has now come up to this House was taken as long ago as the 22nd February. The Second Reading was taken on the 22nd May, and on the 27th of that month it was referred to a very strong Committee. That Committee was what is known as a hybrid Committee, two Members being chosen from each side of the House by the House itself, and three added by the Committee of Selection. That Committee carefully considered this Bill and the other Bill, and the proposals made with regard to them. They took evidence at some length upon them, and on the 3rd July they made a Report to the other House of Parliament the purport of which has been embodied in the Bill. A clause which they drew up was added to the Bill and received the sanction of the other House of Parliament. Under these circumstances, I think I am entitled to say that the matter has been very fully and carefully considered, and that I may now ask your Lordships to read the Bill a second time. I will only make this further remark in explanation—that the effect of the proviso which has received the approval of the other House will be that a very large amount of debt for the Holborn Valley Improvement, which it may fairly be said is really a Metropolitan and not a City improvement, will have to be discharged by the City of London. There is a considerable sum remaining under the Bridge Acts, and that sum has been devoted under the arrangement which has been made to payments in respect of the debt due for the Holborn Valley Improvement. If, as some contend, a large portion of that money belongs to the City, the City agrees to dealing with it in this way. If, on the other hand, it is to be dealt with by Parliament, then the Committee, the history of which I have given to your Lordships, has resolved that it can fairly be applied to that purpose. The balance of the debt for the Holborn Valley Improvement, is considerable, and in order to discharge that debt the duty of 4d., with the surplus remaining from Kew Bridge, is to be applied. Under those circumstances, I now move the Second Reading of the Bill. I do not desire unduly to take up your Lordships' time, though if any further information is desired I shall be glad to give it to the best of my ability.

Moved, "That the Bill be now read 2a."—(*The Lord Balfour.*)

LORD LINGEN: My Lords, as Chairman of the Finance Committee of the London County Council, I naturally take a very great interest in this Bill. It is entitled a Bill for the abolition of the Coal Duties leviable in London,

subject to their renewal for one year. But that is not an entire representation of the present state of the case, as shown by the debates referred to which have taken place in the House of Commons. The really serious question involved in the Bill is the beginning of the adjustment of charges between the City of London and the new County Council. I think I ought to state to your Lordships that the County Council do regard the course taken upon this Bill, and the history of its introduction, with considerable dissatisfaction. Be they right or be they wrong in that view, their feeling upon the matter as that of a new representative body will, I have no doubt, receive consideration from your Lordships. They are inclined to think that this Bill in the Committee stage, being an extremely complicated Bill, as the recitals are sufficient to show, and involving considerations of very great difficulty, has received very short, and, as yet, insufficient attention. It has this peculiarity about it—that the Committee has reported no evidence, and that the City Authorities have produced no accounts upon which this Bill has been founded. Under those circumstances, the County Council do regard it with dissatisfaction. I think that is an important consideration for your Lordships to bear in mind, and for this reason:—There is no doubt that at some distant day very delicate questions will have to be adjusted between the Corporation of the City and the County Council; and it is surely of great importance that that settlement should be approached in a spirit of moderation and conciliation, not in a spirit of attack and defence, and not in a spirit of vindictiveness. The consideration which this Bill may receive in your Lordships' House, and the language which may be used about it, may have a considerable effect upon the issue. I have had no opportunity of ascertaining the bearing of this Bill, otherwise than has appeared in the public papers. The most important part of it, I think, is really the last section (Section 2) which appropriates certain surpluses; but looking to the speech and the figures quoted by Sir Lyon Playfair and some other Members of the other House, the object of this Bill would appear to be the beginning of a settlement of Metropolitan debts, taking the Holborn Valley Improvements as the first to be dealt with. I need not say that the question of the Holborn Valley Improvements is only one of the matters which will arise. As far as I can make out from the figures given in the public papers, there is a debt upon the City funds for the Holborn Valley Improvements at present undischarged of £744,000, and the proposal is to begin by dividing this debt of £744,000 into halves, each of which will amount to £372,000, and it is proposed that one of these moieties shall fall to the City and the other to the County Council. By the last section of this Bill is dealt with a surplus over certain funds which were applied to the freeing of the London bridges. I estimate that amount at £100,000, which is set aside by the City, and a further sum of £160,000, representing what is called a drawback for the purpose of discharging its liabilities. Then the Quarterly Dues are received for one year; it is estimated that they will produce about £142,000. Of that, one-half is to be given to the City, and one-half is to be given to the County Council for London. That is not in the Bill, but it appears from the speeches of those who support the Bill, and therefore I think it is absolutely necessary that this proposal should be considered along with the Bill. The result of those figures is that in discharging those two moieties of £372,000 each, the City will have to pay £141,000; and when everything has been taken into account the county will have to find £320,000 as its share. Thus, it is evident that this is the beginning of very serious considerations between the City and the County Council. My Lords, I have only risen for the purpose of bringing to the notice of the House this part of the case—how far this Bill involves the beginning of a settlement of Metropolitan debt; and also for the purpose of bringing before your Lordships the state of feeling in the County Council, which is certainly one of considerable irritation.

THE EARL OF MILLTOWN: My Lords, I happen for once to be in entire unison with the London County Council, though not for the same reasons, in objecting to this Bill. It appears to me to be a tax the remission of which will be absolutely thrown away. Can your Lordships imagine for one moment that

a single citizen of London will get his coal one penny the cheaper as the result of throwing away these Dues?

THE EARL OF LEITRIM: I think the noble Lord is not in order.

THE EARL OF MILLTOWN: The noble Earl does not say why I am not in order. I say, my Lords, that the inevitable result of this will be that we shall have to face an additional taxation of at least 4d. in the £1.

THE EARL OF RAVENSWORTH: My Lords, I wish to point out to the House that any doubt cast on the passing of this Bill would tend to dislocate the enormous interests represented by the coal trade of London. On the faith of previous Acts of Parliament, which have been renewed from time to time, the City has expended for the benefit of the whole Metropolis a vast sum representing a debt of £750,000 upon the Holborn Valley Improvements. It is now asked that the Coal Dues shall be renewed for one year to the extent of 4d. in the £1, the proceeds to be used for paying off that debt. It is very important to bear in mind that the continuing Act expires this day, and any doubt as to the passing of this Bill will seriously affect the London coal trade, and the enormous interests affected by it. I will endeavour to give the House an idea of their magnitude. I say, my Lords, that the tendency of throwing any doubt upon the passing of this Bill, which has received the strong sanction of the other House of Paaliament, would be to dislocate the coal trade to an extent that can hardly be estimated. I know, indeed, that at present many ships are lying in the Port of London, and will not discharge their cargoes in consequence of the uncertainty which overlies this question. The coal imports amount to 12,000,000 tons a year in round numbers, about 7,000,000 coming by railway, and 5,000,000 by sea. Another effect of suspending for any length of time the settlement of this matter would be to upset certain arrangements which some noble Lords are aware of as existing with regard to some of the principal lines. Those arrangements are of a complicated character, and at least five of the principal lines are under the liability of paying those dues. I only allude to these matters to show the House the extraordinary laxity with which this question has been dealt with by some, the danger of allowing it to remain unsettled, and how mischievous it would be. The injury done would vastly exceed the sum represented by a tax of 4d. per ton on the coal. I trust your Lordships will not reject a Bill of this kind which has been passed by an overwhelming majority in the other House of Parliament, and which, if passed now, will effect, at any rate, something like a temporary settlement of this matter.

*LORD BALFOUR: My Lords, I will first answer the point in reference to the apportionment of the debt between the City and the County Council. The noble Lord who referred to it had the courtesy to inform me that he was going to raise that question, and I have taken the opportunity to look at the speeches he has mentioned. I did not think it right to raise the question myself; but I confess I have not been able to gather from those speeches the same construction which the noble Lord has done. I think if that construction is drawn from either the speeches of Sir Lyon Playfair or of the other Members it is erroneous. The reports are, on the face of them, extremely condensed, and on that account, being also complicated with so many figures, and dealing with such large sums of money, a mere abstract is very likely to be (quite innocently) entirely erroneous and misleading, and it is to be regretted if they have conveyed that construction to the mind of the noble Lord. I will state the exact position of the matter. There is a debt on the Holborn Valley Improvements of £744,000. Against that has to be put £160,000 from the savings referred to, and other sources. There are also the Dues at 4d. per ton, which may be estimated at about £140,000. This estimate does not materially differ from that of the noble Lord. Those sums together amount to £300,000. There is nothing in the Bill whatever regarding the debt of £744,000. I wish to state distinctly that the City of London will remain responsible for the whole balance of that debt of £744,000. I hope I have made that quite distinct. As regards the other point, that this Bill has not been adequately discussed. If that be the case I regret that it should be so; but I do not think that those who have brought

in the Bill are in any way responsible for it. There was a block upon it in the other House of Parliament for three months, and the proposal to refer it to a Committee could not be carried out. If that had not been the case it would have been possible to discuss it with much greater deliberation than is now possible. This is the day on which the dues expire; and it is of the utmost importance, if trade is not to be dislocated, as the noble Lord (Lord Ravensworth) has said, that this Bill should be passed into law with the utmost possible speed. I entirely reciprocate the expression of hope, which the noble Lord opposite expressed at the beginning of his speech, that nothing will be said in this House which will tend in any way to embitter the relations between the Corporation of the City and the London County Council. One can easily understand that there are many delicate financial matters to be discussed between those two Bodies, and it is certainly not my intention to say anything which could complicate their position. I am quite sure that it is the wish of your Lordships that those discussions should be carried on as comfortably as possible.

Motion agreed to.

Bill read 2ª accordingly.

*Lord BALFOUR: I have to ask your Lordships to remit this Bill to a Committee of the Whole House, and I further give notice that I shall ask for a suspension on Monday of the Standing Order, with a view to the remaining stages of the measure being taken on that day. I think I am justified in doing so, as this Bill partakes so much of the nature of a Money Bill.

Bill committed to a Committee of the Whole House on Monday next; and Standing Order No. XXXIX. to be considered in order to its being dispensed with.

PASSENGERS ACTS AMENDMENT BILL
(No. 100.)

House in Committee (on Re-commitment) (according to order): Bill reported without amendment and to be read 3a on Monday next.

House adjourned at Seven o'clock, to Monday next, at a quarter past Four o'clock.

HOUSE OF COMMONS,

Friday, 5th July, 1889.

QUESTIONS.

IRISH PETTY SESSIONS CLERKS.

Mr. BLANE (Armagh, S.): I beg to ask the Solicitor General for Ireland if Petty Sessions Clerks are prohibited from acting as newspaper editors or publishers; if the presentment at Drogheda Summer Assizes, Nos. 57 and 56, make payments for contracts as publisher of the *Drogheda Conservative* to a Mr. M'Dougall, who is Clerk of Petty Sessions for the districts of Termonfeckin, County Louth; Julianstown, County Meath; and Duleek, County Meath; whether complaints have reached him that Mr. M'Dougall keeps his office in Drogheda, several miles beyond his Petty Sessions district, notwithstanding the rule that Petty Sessions Clerks should keep an office for the issue of summonses within their district; and, if so, will the Government require him to keep an office in each district of which he is Petty Sessions Clerk?

The SOLICITOR GENERAL for IRELAND (Mr. Madden, University of Dublin): The Registrar of Petty Sessions Clerks is informed by the Clerk of Petty Sessions mentioned that his father is the proprietor, editor, and publisher of the newspaper referred to, and that if he himself is described as publisher in the presentment book it is a mistake for which he is not responsible. No complaint has been received by the Registrar of Petty Sessions Clerks as to the situation of the clerk's office, and the clerk states that no such complaint was ever made to him; but that the inhabitants of all the districts find it convenient to apply to him in Drogheda. For some time after his appointment he attended at stated intervals at each of his districts to issue summonses; but finding that the public did not apply there he discontinued these attendances. If upon communication with the magistrates of the districts, or in consequence of any complaints that may be made to the Registrar of Petty Sessions Clerks, it should appear that inconvenience has

resulted from the present system attendances in the districts will be again resumed.

THE DEBTORS (SCOTLAND) ACT—CASE OF WILLIAM ARNOTT.

DR. CAMERON (Glasgow, College): I beg to ask the Lord Advocate whether the Trustee and Commissioners in the sequestration of William Arnott, Corn Factor, Glasgow, reported to the presiding Judge, under Section 15 of the Debtors (Scotland) Act, any offences against that Act; whether the Judge directed information to be laid before the Lord Advocate in the terms of the Act as a case which he thought ought to be prosecuted; and, if so, whether the criminal authorities took any action on the Report?

THE LORD ADVOCATE (Mr. J. P. B. ROBERTSON, Bute): The facts stated in this question are correct. After careful consideration by my predecessor in office it was decided that there was no ground for criminal action. I have also looked into the matter and am of the same opinion.

CLOTHING OF THE POLICE.

MR. HOWARD VINCENT (Sheffield, Central): I beg to ask the Secretary of State for the Home Department if the recent practice of several provincial police forces, and of the postal service, can be extended to the Metropolitan police, and some provision be made for the lighter clothing, during the summer months, of constables on day duty, and especially of those on fixed points or employed in the regulation of traffic in the full sun, and of those who have long beats to cover in the outlying districts?

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. MATTHEWS, Birmingham, E.): I have consulted the Commissioner of Police on this matter, and he entirely concurs with the opinion of Sir Charles Warren, which I stated in answer to a question in this House on September 9, 1886, to the effect that in our climate there is more danger from wet and cold than from excessive heat. If we had in this country the continuous hot weather of tropical climates the adoption of summer clothing for regular wear would, no doubt, be advisable; but under the extremely variable conditions of our climate I should not be justified in incurring the expense, which would be great, while the accruing benefits to the men of the force would be more than questionable.

HOUSE OF COMMONS—ACCOMMODATION FOR MEMBERS.

MR. HOWARD VINCENT: I beg to ask the First Commissioner of Works if, in the allocation of the new rooms at his disposal on the west side of Westminster Hall, he will be able to comply with the widely-felt wish among honourable Members that a room in which they could dress, without returning home, for evening meetings in which they have to take part, in the discharge of their political duties, would be a great convenience, and enable them on such occasions to give additional time to legislative attendance?

MR. R. WEBSTER (St. Pancras, E.): Has the right hon. Gentleman heard that there is a widely-felt wish on the part of Members of this House to change within the precincts of the House from ordinary dress to Court or military dress?

THE FIRST COMMISSIONER OF WORKS (Mr. PLUNKET, University of Dublin): I hope it will be possible to some extent to carry out the suggestions of my hon. Friend. It would be, I think, a little Pharisaic to limit the change of dress to any special occasion.

IMPRISONMENT OF BRITISH SAILORS AT BILBAO.

MR. GROTRIAN (Hull, E.): I beg to ask the Under Secretary of State for Foreign Affairs whether his attention has been called to a statement which appeared in a Spanish newspaper, *El Uoste*, of 22nd June, according to which two British sailors have been confined in prison in Bilbao since January last, upon an allegation of having assaulted the police, but without ever having been brought to any trial; and, whether he will cause inquiries to be made, and, if the statement be found to be correct, take measures to protect these British subjects and ensure that they are brought up for trial in open Court?

*THE UNDER SECRETARY OF STATE FOR FOREIGN AFFAIRS (Sir J. FERGUSSON, Manchester, N.E.): I do not know to what case the hon. Member is referring; but if he can give me some

further particulars I will have it looked into.

THE SALVATION ARMY.

MR. ROWNTREE (Scarborough): I beg to ask the Secretary of State for the Home Department if it is correct that Ambrose Sutton, a member of the Salvation Army, who was sentenced to a fine of 10s. and costs for obstructing the highway, at the Bungay Petty Sessions on the 20th June, or in default to fourteen days' imprisonment, and on whose behalf an appeal was duly lodged, was put to hard abour, and underwent five hours on the treadmill each day, in addition to picking oakum; if, at the time of such imprisonment, Ambrose Sutton was in weak health, suffering from a complaint which caused him to vomit a quantity of blood; and if such punishment was authorized by the sentence inflicted; and, if so, whether inquiry will be made into the fitness of such punishment in view of the prisoner's state of health, and pending his appeal?

MR. MATTHEWS: I am informed by the Prison Commissioners that Ambrose Sutton was received into custody on the 21st of June under a sentence of 14 days' hard labour. He was accordingly put to hard labour on the treadwheel for five hours instead of the usual number of six hours for four days. The remainder of each day he was employed on oakum-picking. On the 28th of June an appeal was received at the prison, and the prisoner was forthwith discharged on entering into recognizances. There was no vomiting of blood and no evidence of ill-health beyond complaints of trifling ailments on the 26th and 27th of June, on which days he had no hard labour. The punishment was in accordance with the sentence, and under the existing prison rules, provision is made for the cessation and regulation of hard labour under the medical officer's advice.

MR. ROWNTREE: Is it usual to pass a sentence of hard labour in default of the payment of a fine of 5s?

MR. MATTHEWS: I can hardly say that it is usual, but it is very common.

IRELAND—FAIR RENTS IN KILDARE.

MR. CAREW (Kildare, N.): I beg to ask the Solicitor General for Ireland whether he can give the number of fair rent applications still remaining undisposed of in the County of Kildare; whether he is aware that owing to the delay in hearing these applications, and to the enforcement of the payment of the old rents pending the fixing of the fair rents, a number of tenants who were unable to pay the old rents have been obliged to enter into judicial agreements on the terms proposed by the landlords; and, whether he will state when the Sub-Commission will next sit at Naas or Athy?

MR. MADDEN: The Land Commissioners report that originating notices have been received in 557 cases in the County of Kildare which have not been listed for hearing or disposal. In only three of these cases have judicial agreements been lodged since the 1st of January last. By the fifth section of the Act of 1887 it is provided that, when the Court fixes a judicial rent for a holding, the rent so fixed shall be the rent payable by the tenant as from the gale-day next after the application, and also makes provision for an account between the parties to settle the difference between the payments actually made and the judicial rent. A date has not yet been fixed for the sitting of a Sub-Commission to hear cases arising out of the Union of Naas; but a sitting will be held for the Union of Athy early in August.

DISTURBANCE AT THE BERMONDSEY VESTRY MEETING.

MR. LAFONE (Southwark, Bermondsey): I beg to ask the Secretary of State for the Home Department whether, on Monday evening last, 1st July, the entrance leading to the Board Room of the Bermondsey Vestry was forced by persons breaking through the door, and resisting the orders of the Vestry then sitting; and, whether the Chairman had previously communicated in writing with the Chief Commissioner of Police, who declined to send policemen to prevent the proceedings of the Vestry being interrupted?

MR. MATTHEWS: The Commissioner of Police informs me that the police were not called in on the 1st of July, and that he has no personal knowledge of the facts stated in the first paragraph. Two persons were charged by the Vestry with stealing, and were taken into custody by the police, and their case will be heard on the 9th inst. No previous

communication was made on this occasion to the Commissioner, who, if he had received such a communication, would have taken the usual steps to prevent any breach of the peace.

MR. LAFONE: Do I understand that if the police had been called upon they would have protected the entrance to the Vestry?

MR. MATTHEWS: It would be the duty of the police to prevent any breach of the peace; but the police have no authority to regulate the proceedings of private meetings.

MR. LAFONE: That was not exactly my question. This was a meeting held in a large public hall, and I want to know if the police can be called upon to protect the entrance?

MR. MATTHEWS: I am afraid that I must ask for notice of that specific question.

MOUSSA BEY.

MR. SUMMERS (Huddersfield): I beg to ask the Under Secretary of State for Foreign Affairs whether it is a fact that a number of the Armenian deputation, who recently waited upon the Grand Vizier at Constantinople, to present a petition on behalf of 500 natives of Mouche, temporarily residing in the Turkish capital, praying for the punishment of the notorious Kurdish chief Moussa Bey, have been arrested by his orders, and will be shortly exiled to Tripoli?

*SIR J. FERGUSSON: Her Majesty's Government are not aware whether the report referred to is correct. It has already been mentioned to the Secretary of State, and an inquiry as to its truth has been addressed to Her Majesty's Ambassador at Constantinople.

MR. MORE (Shropshire, Ludlow): Can the right hon. Gentleman give any information as to whether any inquiry into the charges against Moussa Bey has commenced at Constantinople; and, if so, what is the nature of the inquiry, by whom is it conducted, and is it public or private?

*SIR J. FERGUSSON: Moussa Bey has, I believe, been summoned to Constantinople to answer the charges which are made against him. We have not heard that the inquiry has commenced, nor do we know who is conducting it; but, of course, it will be conducted under the immediate orders of the Imperial Ottoman Government. I am unable to say whether it is to be an inquiry open to the public.

VESTRY MEETING AT LOWESTOFT.

MR. BROADHURST (Nottingham): I beg to ask the Secretary to the Local Government Board whether his attention has been called to the proceedings of a recent vestry meeting at Lowestoft, summoned for the purpose of electing guardians, at which the chairman refused to allow more than eight nominations, and ruled that the voting should be by way of motion and amendment; whether he is aware that as a consequence, two of the names first submitted were not voted on by the vestry; that when a poll was demanded the chairman decided that the voting should be on the motion which contained three names, and for the amendment which contained six names (one candidate having been nominated twice), and that the chairman peremptorily closed the poll within five minutes of opening it, the clock having struck twelve; and, whether, under the circumstances, he intends to take any action with regard to this election?

THE SECRETARY TO THE LOCAL GOVERNMENT BOARD (Mr. LONG, Wilts, Devizes): The attention of the Local Government Board has been drawn to the circumstances connected with the recent election of Guardians for the parish of Lowestoft. The Board propose to direct a local inquiry, with a view of ascertaining the facts as to the proceedings and determining as to the course which the Board should take in the matter.

NON-DELIVERY OF TELEGRAMS.

MR. HENNIKER HEATON (Canterbury): I beg to ask the Postmaster General whether the sender of a telegram, handed in on the 27th May at the office 101, Cannon Street, City, for transmission to Addiscombe, complained on 28th May of the non-delivery thereof; and, if he can explain how it happened that it was only on 17th of June that a reply was forwarded to him, stating that the non-delivery of the telegram was due to its having been overlooked in one of the transmission offices?

*THE POSTMASTER GENERAL (Mr. RAIKES, Cambridge University): I will

have inquiry made respecting the subject of the hon. Member's question, and an answer shall be sent him from the Telegraph Branch, to which the matter appertains.

THE TITHE RENT CHARGE BILL.

MR. DILLWYN (Swansea): I think it would be for the convenience of the House if the First Lord of the Treasury would say whether the Tithe Rent Charge Bill will be taken on Monday next?

*THE FIRST LORD OF THE TREASURY (Mr. W. H. SMITH, Strand, Westminster): I think it is very improbable that it will be reached on Monday. I have already stated that the Scotch Local Government Bill will be taken *de die in diem* until it is disposed of.

ROYAL GRANTS.

MR. LABOUCHERE (Northampton): Can the First Lord of the Treasury state when the names of the Select Committee on the Royal Grants will be given?

*MR. W. H. SMITH: I have every reason to hope they will be put on the Paper on Monday. The hon. Gentleman must be aware that it does not rest with me alone to put down these names.

MR. LABOUCHERE: Then I understand that the Committee will not be taken on Monday?

*MR. W. H. SMITH: No; certainly not.

THE FIGHTING ON THE NILE.

SIR W. LAWSON (Cumberland, Cockermouth): I wish to ask the Secretary of State for War if he has any information concerning the continued fighting on the Nile, which was reported in the newspapers this morning?

*THE SECRETARY OF STATE FOR WAR (Mr. E. STANHOPE, Lincolnshire, Horncastle): I have received no information of further fighting. The enemy appears to be somewhere in the neighbourhood of our own forces, but I can give no information as to any further fighting.

METROPOLIS WATER (No. 2) BILL.

Order for Second Reading upon Wednesday 17th July, read, and discharged.

Bill withdrawn.

Mr. Raikes

FACTORS BILL [LORDS].

Read the first time; to be read a second time upon Monday next, and to be printed. [Bill 310.]

LONDON COAL AND WINE DUTIES CONTINUANCE BILL. (No. 43.)

Order for Second Reading read, and discharged.

Bill withdrawn.

LAND PERPETUITY (IRELAND) BILL. (No. 94.)

Order for Second Reading read, and discharged.

Bill withdrawn.

GLASGOW AND CARLISLE TURNPIKE ROAD.

Resolved, That, in the opinion of this House, the determination of the Secretary for Scotland with respect to the Glasgow and Carlisle Turnpike Road Trust ought not to take effect.—(*Mr. Hozier.*)

IRISH SOCIETY AND LONDON COMPANIES (IRISH ESTATES).

Ordered, That a Select Committee be appointed to inquire and report as to the terms of the charters or other instruments by which their estates in Ireland were granted to the Irish Society and to the London Companies, and as to the trusts and obligations (if any) attaching to the ownership of such estates, and as to the mode in which the sale of their estates has been effected, or can be effected consistently with such trusts and obligations as may be shown to have existed or now exist.—(*Mr. Arthur Balfour.*)

MOTION.

METROPOLIS WATER (NO. 3) BILL.

On Motion of Mr. Octavius V. Morgan, Bill for enabling the County Council of London to purchase the rights of existing Water Companies, ordered to be brought in by Mr. Octavius V. Morgan, Mr. Beaufoy, Mr. Buxton, Mr. Cremer, Mr. Howell, Mr. Lawson, Mr. Montagu, Mr. Pickersgill, Mr. Rowlands, and Mr. James Stuart.

Bill presented, and read first time. [Bill 311.]

ORDERS OF THE DAY.

LOCAL GOVERNMENT (SCOTLAND) BILL (No. 187) AND LOCAL GOVERNMENT (SCOTLAND) SUPPLEMENTARY PROVISIONS BILL (No. 188).

Considered in Committee.

(In the Committee.)

Clause 10 (Regulations as to convener and vice-convener of county.)

Amendment proposed, in page 2, line 42, to leave out the words "or persons qualified to be such."—(*Mr. J. B. Balfour.*)

Question again proposed, "That the words proposed to be left out stand part of the Clause."

THE LORD ADVOCATE (Mr. J. P. B. ROBERTSON, Bute): This question was discussed at considerable length during the latter part of last night's debate, and strong opinions were expressed against the enlargement of the powers of the County Council. The hon. Member for Glasgow (Dr. Cameron) tried an experiment which deserves the attention of the Government. He took a Division on the Motion to report Progress in order that the Government might have an opportunity of studying the disposition of the Scotch Members towards this proposal. We have studied the Division List, and we find that 25 of the Scotch Members voted with the Government and 20 against. I have no wish to misinterpret the opinion of the majority. I am quite aware that Members on the Front Bench who voted with us for going on with the Bill would have voted against us on this specific Amendment. But it affords the Government a good idea of the amount of resolute support they are likely to receive if the Bill is proceeded with in a spirit of conciliation and good humour. Fortified by that Division, whatever opinion may be expressed on minor points, I think the Government need not press this proposal. We take this course in complete reliance upon the general desire to proceed with the Bill without undue debate, and I shall, therefore, accept the Amendment of the right hon. and learned Member for Clackmannan (Mr. J. B. Balfour).

*MR. CAMPBELL-BANNERMAN (Stirling Burghs): I need not say with what pleasure we have listened to the speech of the right hon. Gentleman, not so much on account of the concession he has made as on account of the spirit which that speech manifests. As far as I am acquainted with the feeling and desire of those with whom I act, we have every desire to facilitate the progress of the Bill, and also to make the measure we are engaged upon as useful and as large a measure as possible. We have no desire to take advantage of any opportunity which may offer of treating the measure in the least, I will not say from a political point of view, because the whole matter is political in the larger sense—but with a view to any small political advantage. But we have insisted upon this point because it involved a question, as we thought, of principle. It is not a large point, because even if the County Councils were granted, the choice to which we object, they would not, I believe, exercise it. But it is characteristic of Scotchmen to be sticklers for principle, and this is why we have been so stubborn.

DR. CAMERON (Glasgow, College): I should not have thought it necessary to say anything if it had not been for the very pointed reference which the right hon. and learned Lord Advocate has made to me. The experiment which was tried last night has been absolutely successful. The right hon. Gentleman finds that 25 Scotch Members voted against reporting Progress, and 20 in favour of it. But he knows that, of the 25, six on the Front Opposition Bench and six behind him were dead against the proposal in the Bill, so that so far as the majority of Scotch opinion is concerned, it is largely in favour of the contention which we urged upon the Committee. But I would ask the right hon. Gentleman not to confine himself to the particular Division to which he has referred, but to look through the whole of the Division Lists last night. If it had not been for the last Division we should have had this point carried against us with the probability of having to reconsider it on the Report. I would recommend the right hon. Gentleman to look to the concessions he has made to Scotch opinion as far as the Bill has gone. The first Amendment was brought forward by the hon. and learned Member for Dumfries (Mr. Reid) and 45 Scotch Members, including 12 Unionists who are habitual supporters of the Government voted for it, while only 12 Scotch Members voted against it. The next Division was to ask the Government to schedule the arrangements it was proposed to make in connection with the County Councils. Twenty-nine Scotch Members voted in favour of the Amendment, and only 14

against it. Yet it was carried by the Government against the wishes of the Scotch Representatives. Finally, we had another Division, taken by the hon. Member for one of the Divisions of Lanarkshire (Mr. D. Crawford), the purpose of which was to leave it an open question whether the Local Authorities in police burghs might not be entrusted with the same power of licensing as those enjoyed by the Magistrates in Royal burghs. Again the Division went against us, although the majority of the Scotch Members voted in favour of the Amendment. Probably if I had not yesterday evening taken the course I did of moving to report Progress, this Amendment would also have been voted down by the supporters of Her Majesty's Government, and the decision upon it would have been put off until the Report stage of the Bill. If the Government propose to amend every part of the Bill on which they find themselves at variance with the large preponderance of Scotch opinion expressed in the Committee, I am afraid they will find that they will have a precious lot to do. I would advise the right hon. Gentleman therefore to study the Division List on every occasion.

DR. CLARK (Caithness): I congratulate the Lord Advocate on the wise course he has taken in giving way on this point, as I believe it will materially facilitate the progress of the Bill. This was the thin end of the wedge, introducing for the first time the principle of non-election. As yet no Scotch baillie has ever been in the position of a Liverpool Alderman.

Question, "That the words proposed to be left out stand part of the Clause," put, and negatived.

DR. CAMERON: I have now to move, in line 43, after the word "and" to insert—

"And such convener shall possess all the powers and exercise all the functions possessed or exercised at the date of the passing of this Act by the Provost or Chief Magistrate of a Royal or Parliamentary burgh, and shall by virtue of his office be a Justice of the Peace for the county."

The Amendment is designed to assimilate, as far as possible, the powers and position of the Municipal Authority in the county to those which are well understood in the case of the Municipal Authority in the burghs. The words "and shall, by virtue of his office, be a Justice of the Peace for the county," are taken verbatim from the English Act of last year. As it has been found necessary to insert it in the English Act, it may, I think, be well incorporated in the present measure.

THE CHAIRMAN: There is a further Amendment on the Paper in the name of the hon. Member which is not admissible at all. I have some doubts as to the admissibility of this, but I will put it to the Committee.

Amendment moved, in Clause 10, page 2, line 43, after "such," insert—

"And such convener shall possess all the powers and exercise all the functions possessed or exercised at the date of the passing of this Act by the Provost or Chief Magistrate of a Royal or Parliamentary burgh, and shall by virtue of his office be a Justice of the Peace for the county."—(*Dr. Cameron.*)

Question proposed, "That those words be there inserted."

MR. J. P. B. ROBERTSON: The proposal, taken by itself, is not a matter of great importance, but on the other hand it relates to subjects which do not come within the scope of the Bill. As the Bill stands, the convener of the county will have certain functions to perform, but they will not include the administration of justice, and I would remind those hon. Members who are less acquainted with the Scotch than the English administration that the powers and importance of a Justice of the Peace in Scotland are very much less than in England. In Scotland the work of administering justice is done in the main by the Sheriff and the Sheriff Substitute. I speak particularly of the counties, and so far as the scope of the Bill is concerned, it is entirely outside the burghs. I do not think that the Committee have any desire to amplify or extend the administration of Justices of the Peace which, at present in Scotland, is most insignificant. There are great differences between the duties of Provosts and those of the proposed conveners who might have been made Justices of the Peace if it had been intended to hand licensing over to the County Councils. That, however, is not proposed to be done, and the tenour of recent legislation has been in the direction of introducing skilled and paid Magistrates rather than of increasing the number of amateur Justices of the

Peace. I hope that at the proper time the Committee will support the Government in refusing to introduce into the Bill the burning and distracting question of licensing.

*MR. CAMPBELL-BANNERMAN: I very strongly sympathize with my hon. Friend the Member for Glasgow in this matter, though I admit that the Government may have difficulties in at once accepting the Amendment. My idea is that in dealing with this entire subject we should take the municipal government of the towns as our model, and apply it, as far as possible, to the counties. The right hon. Gentleman spoke of licensing. We regret that the Government do not give the County Councils the control of the licensing; but the point will be raised later on. I think it would be advantageous to place the convener and a certain number of elected Magistrates in the same position as the Magistrates of the burghs. The right hon. Gentleman says that the whole current of opinion runs in the direction of introducing skilled and paid magistrates, rather than of increasing the number of amateur Justices of the Peace, and I quite agree with him. Burgh stipendiary Magistrates are being more and more employed. But there are still certain functions which it has never been proposed to transfer to paid Magistrates and which remain in the hand of the Provost and elected Magistrates; and on the ground of the general symmetry of the arrangements, I think it would be prudent to extend to the counties a system which has worked so satisfactorily in the burghs. For these reasons I shall support the Amendment.

*MR. ESSLEMONT (Aberdeen, E.): I desire also to say a word in support of the Amendment. I admit that there is a distinction between a Justice of the Peace in England and in Scotland, and, so far as the Scotch Members are concerned, we prefer the decision of a Court presided over by a Sheriff in Scotland to that of a Court presided over by a Justice of the Peace in England. In regard to the licensing question, the argument of the Lord Advocate scarcely applies. Let me take the present position of licensing in the burghs of Scotland. The Court of Appeal is the Court of Quarter Sessions, and that is the final tribunal in regard to burgh licences. The appeals are heard by the Chief Magistrate and the senior baillie is *ex officio* a member of the Court of Quarter Sessions. What harm, then, could take place if the convener of the county holds the position of *ex officio* Justice of the Peace for the county? Leaving out all reference to the burghs, I submit that the case of the convener of the county has been fully made out by the hon. Member for Glasgow. The Lord Advocate has taken a somewhat too extended view of the matter. All that is wanted is that the person who is appointed convener should be *ex officio* a Justice of the Peace, and I hope that in a spirit of conciliation the right hon. and learned Gentleman will see his way to make this moderate concession.

MR. J. P. B. ROBERTSON: I have listened with attention to all that hon. Members have said. The Amendment, however, goes a little too far, and I strongly deprecate the carrying by process of analogy of the powers enjoyed by a Chief Magistrate in a burgh into the counties, considering that the whole situation is different in the counties from what it is in the burghs. As I do not think there would be much harm in making the conveners Justices of the Peace, I have no objection to accept the latter part of the Amendment.

DR. CAMERON: I have no desire to interfere with the functions of the Sheriffs' Court or the burghs Justices of the Peace.

*MR. ESSLEMONT: The Provost of a burgh is a Justice of the Peace, but although he is entitled to sit in the Police Court he does not usually do so.

DR. CAMERON: As a matter of fact I never knew the Lord Provost of Glasgow to sit in the Police Court. In the English Act there are different sorts of representatives on the Council—Aldermen as well as Councillors.

THE CHAIRMAN: The office of Alderman does not necessarily carry with it magisterial functions.

Question, "That such convener shall by virtue of his office be a Justice of the Peace of the county," put, and agreed to.

*MR. M. STEWART (Kirkcudbrightshire): I have to move an Amendment in the clause to provide that the tenure

of office of the convener, instead of being for one year as proposed by the Bill, should continue for such period of time as the County Council exists. The term for which the County Council is to be elected is three years; and it will be convenient to have the convener's term of office fixed for the same period. I hope the Government will accept the Amendment, which is a very simple one, although, in my opinion, a very important one.

Amendment moved, Clause 10, page 3, lines 1 and 2, leave out "be one year," and insert "shall continue for such period of time as the County Council exists."—(*Mr. M. Stewart.*)

Question proposed, "That the words 'be one year' stand part of the Clause."

*Mr. ESSLEMONT: I do not know whether the Government intend to accept the Amendment, but I am bound to say that there is a good deal to be said in favour of it. I think it would be a pity to put the Councils to the trouble of resettling their administration every year. The gentleman who accepts the office of convener should be allowed to run through the period of the County Council's administration without the turmoil of re-election every year.

Mr. J. P. B. ROBERTSON: The reason why one year has been inserted in the Bill is because the present convener of the county is elected annually. It is quite true that his re-election is generally undisputed so long as he retains the qualifications which commended him to the choice of the Commissioners of Supply; but the proposal of one year has been adopted primarily because it would give a freer hand to the County Council; and I should have thought, therefore, that it was more consonant with the views one often hears of the Chairman representing the opinions of the County Council, that he should be elected year by year instead of for three years. The preponderance of argument is, I think, in favour of one year.

Mr. CALDWELL (Glasgow, St. Rollox): I believe that the preponderance of Scotch opinion is in favour of the convener being elected during the existence of the County Council. I hope therefore, that the Government will give way. At the same time, I think the words of the Amendment will require alteration. The duration of the School Board and other Boards in Scotland is for three years, and the chairman is appointed to act during the existence of the Board. But in the Bill as it stands it is not the County Council that is elected for three years, but the Councillors.

*Mr. SHAW-STEWART (Renfrew) For my part I am in favour of giving to the County Councils as free a hand as possible.

Colonel MALCOLM (Argyllshire): The custom of the Commissioners of Supply is to elect the convener annually.

*Mr. ESSLEMONT: The annual election is a mere matter of form. The convener when once elected retains the office.

Mr. HOZIER (Lanarkshire, S.) supported the Amendment.

Question put, and agreed to.

Amendment moved, Clause 10, page 2, line 15, after "occurred," to add—

"(5) If a County Councillor is elected Convener he shall not thereby vacate office as a County Councillor."—(*Mr. J. P. B. Robertson.*)

Question, "That those words be there added," put, and agreed to.

Clause 10, as amended, agreed to.

ROYAL ASSENT.

The Yeoman Usher of the Black Rod, being come with a Message for the House to attend the Lords Commissioners, the Chairman left the Chair:—

Mr. Speaker resumed the Chair:—

Message to attend the Lords Commissioners;—

The House went;—and being returned;—

Mr. Speaker reported the Royal Assent to,—

1. Consolidated Fund (No. 3) Act, 1889.

2. Secretary for Scotland Act, 1889.

LOCAL GOVERNMENT (SCOTLAND) BILL (No. 187) AND LOCAL GOVERNMENT (SCOTLAND) SUPPLEMENTARY PROVISIONS BILL (No. 188).

Again considered in Committee.

(In the Committee.)

Clause 11 : Transfer to County Council of powers of Commissioners of Supply, Road Trustees.

Amendment proposed, to insert in line 17 before the word "there," the words "Subject to the provisions of this Act."—(*Mr. Caldwell.*)

Amendment agreed to.

*MR. CAMPBELL-BANNERMAN: I have an Amendment to line 21. I will not say it is the crucial Amendment to the Bill, but it certainly is one of the crucial Amendments: it raises the question, Are the Commissioners of Supply to continue or not? The Bill proposes to maintain the elaborate machinery for keeping up the list of Commissioners of Supply, and any expenditure that may attend upon it, for the simple purpose of enabling the Commissioners of Supply to form a Joint Committee with the new County Council. The Commissioners of Supply are only to meet once a year, and they are expressly told that on that occasion they shall transact no business other than the election of a chairman and the choice of seven members to represent them on that committee. They are, therefore, to be deprived of all independent functions whatsoever, and it is only for the purposes of the Joint Committee that they are to exist. What has the Joint Committee to do? Under the presidency of the Sheriff it is to be the Police Committee of the county, and is to have certain control over capital expenditure and over the borrowing powers of the County Authority. There is no question about it, that this matter turns largely upon the question of the control of the police. I believe we were right in what we said, in the debate on the Second Reading of the Bill—namely, that the idea of continuing the Commissioners of Supply was designed merely in order to prevent the control of the police falling entirely into the hands of the County Councils, and that the reason of the jealousy as to the control of the police was that there have been of late years difficulties in certain crofter counties of Scotland. I will not repeat all that has been said regarding the unfairness of punishing and curtailing the natural powers of the whole population of Scotland, because one or two counties, or one or two parts of counties, have behaved in an unruly manner. The truth is that the control of the police is the most elementary function of civic life. The Government know perfectly well that if this system of Local County Government is to be a reality at all, the control of the police must be given to the councils. I think the Government might very well have trusted the people even in the so called disturbed parts of the country, knowing that if the people were vested with responsibility in the matter they would not exercise their powers improperly. If they shrank from doing this, they might have made some exceptional arrangement to suit the exceptional state of things. But that all the counties of Scotland shall be shorn of this power on account of the supposed condition of things in some parts of the Highlands is a reason that I do not think will be publicly stated at the Table of the House. It is obvious that if our object is to simplify administration and to make the new system as complete as possible the proposals of the Bill can only be regarded as transitional proposals. Now, we have reason to allege that there is a strong feeling in Scotland in favour of doing away with the Commissioners of Supply. In two or three counties the Commissioners of Supply themselves have actually memorialized—or, at any rate, expressed publicly their conviction—in favour of transferring the whole business of the counties to the new bodies. Where that opinion has not been publicly expressed, I am satisfied it is largely entertained. I impress on the Government the expediency of giving way in the matter. This is not a point which is essential to to the scheme of the Government. Two or three years, or at any rate, ten or a dozen years, will not pass before all this part of the Bill is repealed. The Lord Advocate will admit that it is well to give the newer bodies he is creating the largest amount of dignity and the greatest extent of power that we can give to them. With regard to capital expenditure, it is very easy to insert such safeguards as have been inserted in other measures of this kind, which would avoid any danger of an abuse of the power. The Lord Advocate will not only consult the general feeling of Scotland, but will do much to secure good government in the Scotch counties

he will consent to the transference of the whole of the powers now enjoyed by the Commissioners of Supply to the County Councils.

Amendment proposed, Clause 11, page 3, line 21, leave out "Save as hereinafter mentioned."—(*Mr. Campbell-Bannerman.*)

Question proposed, "That the words proposed to be left out stand part of the Clause."

*Mr. D. CRAWFORD (Lanark, N.E.): I very strongly support this Amendment. The Lord Advocate will admit one or two propositions which I will lay down. In the first place, this limitation on the present scheme is one that cannot be permanent; it is one that cannot last more than a very few years. Secondly, this limitation is entirely opposed to the wishes and desires of the Scotch Members, and, thirdly, the functions for which the Joint Committee is created, and the Commissioners of Supply kept up, are really the only functions of any importance that the Bill deals with—namely, the control of the police and capital expenditure. This provision makes the Bill a delusion and a snare. You profess to set up a representative body which you call a County Council, and you withdraw from the control of that body the only two subjects of importance which are gathered within the four corners of the Bill. I hope the Lord Advocate will see his way to make a concession on this point. I think we may with perfect safety intrust the County Councils with the control of the police and with the expenditure of capital. Is it to be said that, on account of some temporary disturbance in certain counties, the whole scheme of Local Government is to be utterly spoiled and thwarted? That is a most unreasonable proposition.

*Mr. FRASER-MACKINTOSH (Invernessshire): Both the hon. Gentlemen who have preceded me have referred to certain parts of Scotland in which disturbances have taken place, and have said it would be very hard if, on account of these disturbances, the whole of Scotland were deprived of the control of the police. As the Representative of the largest of the Crofter counties, I should have no objection whatever to all the powers of the Commissioners of Supply being vested in the new Councils. The Committee may rest satisfied that the powers would not be abused, but that the County Councils would act in every matter just as fairly and as honourably in the management of the police as the Commissioners of Supply, or any existing body. I protest in the strongest manner against my own county and also other counties in Scotland being deprived of powers which rightly belong to them, because of certain disturbances in the Highlands in recent years connected with a single question.

Mr. BOLTON (Stirling, S.): I rise to support, in the strongest manner, the Amendment of my right hon. Friend. Only yesterday I presented to the House a petition from the Commissioners of Supply of the county I represent, asking the House to put an end to the Commissioners of Supply. I do not know how many counties have followed that example; but I do know that all representative men in Scotland are in favour of some arrangement by which the Commissioners of Supply should be ended. Reference has been made to the necessity for safeguards. With respect to capital expenditure and borrowing powers, I do not think there would be any objection raised anywhere to make it a condition of capital expenditure that the approval of the Secretary for Scotland should be obtained; and with respect to the police, if the Government really entertain the belief that the Police Committee would not be loyal, or that some members of it would not be loyal, I do not think there would be any objection to make the Lord Lieutenant an *ex officio* member of the Committee. Surely, with such safeguards, we might intrust the management of the police to the elected Representatives of the people. I hope the Government will give this matter the consideration it deserves, and that they will pay some heed to what I believe to be the general wish of the Commissioners of Supply.

*Mr. ESSLEMONT: I trust the Lord Advocate will not think me presumptuous when I say that the feelings of the people of Scotland with regard to this Bill depend upon his action in this matter. Representing one of the largest counties in Scotland, I cannot see how the position of the Government can the maintained. I have no objection whatever to the

approval of the Secretary for Scotland being requisite in the case of capital expenditure, but I put it to the Lord Advocate, would not the Town Councils of Edinburgh, Glasgow, Dundee, and other burghs be placed in a most humiliating position if they had to go to another authority before they could make any capital expenditure? How can it be said that the County Council of Aberdeenshire will not be quite as fit to be entrusted with capital expenditure as the County Council of the City of Aberdeen? The population of the county is larger than that of the city, and the intelligence and business capacity of the people cannot be said to be inferior. Why, therefore, should the Lord Advocate set up in the county a Council which is an inferior body to the Council of the city? Will any hon. Member on the Government Benches say there is more danger in intrusting the control of the police to County Councils than to Town Councils? Can it be said that the people of the county are less law abiding? Are we to have this Bill spoilt on account of some little disturbances in one or two of the Highland counties? If this is to be a popular measure I cannot too strongly urge upon the Government the necessity of trusting the people in the counties in the same way as the people of the burghs are trusted.

MR. BARCLAY (Forfarshire): The Commissioners of Supply of the county I have the honour to represent resolved unanimously, at their general meeting, "That there was no necessity for the existence of this Committee of the Commissioners of Supply." It is surely very absurd to refuse the control of the police to the County Councils when we intrust it to a small burgh of 7,000 inhabitants. I certainly am of opinion that in Highland counties the control of the police can safely be intrusted to the new Councils.

MR. MARJORIBANKS (Berwickshire): My right hon. friend (Mr. Campbell-Bannerman) said that the Government were not prepared to avow at this Table the real reason for objecting to his Amendment. My right hon. friend does not give right hon. Gentlemen opposite the credit due for the courage of their opinions. If I am not mistaken, the Chief Secretary for Ireland in the debate on the Second Reading said that the reason they clung to the idea of a Joint Committee for police purposes was the disturbed state of certain portions of the Highland counties. Now the hon. Members for Invernessshire and Forfarshire, who generally act with the Government, and who do not take the same view with regard to what is called law and order that many of us take, have united in saying that as far as they know there would be no danger in intrusting the control of the police in the Highland counties to the Council elected by the people. I have the honour to be closely connected with the County of Invernessshire, as with the county I represent, and I must add my testimony to that of the hon. Gentlemen I have named, that the Government would be perfectly safe in intrusting the care of the police in Invernessshire to the new County Councils they are about to set up. Let me put forward another reason. The Bill proposes to transfer the powers of the Committee of Supply to the new County Councils. By setting up a Joint Committee for police purposes and financial purposes, you are really transferring to the new council powers very much less than those which the present Committee of Supply now have. That is a very great mistake. We have a right to demand that the new County Councils shall have powers co-extensive with the present Committee of Supply, and I hope the Government will see their way to give this. We on this side will gratefully accept and acknowledge the concession, which I assure the Government will do much to make the Bill in other respects acceptable to the people of Scotland.

*SIR A. CAMPBELL (Renfrew, W.): I trust the Government will stand firm on this question of the control of the police. The right hon. Gentleman the Member for the Stirling Burghs complains of the great expense of the Committee of Supply. What is it? The only expense is that at statutory meetings — those wishing to be enrolled make a declaration to the Sheriff, and their names are then entered in a book. No great expense that. I am afraid he has very little idea what the Committee of Supply costs. Now I come to the question of the Joint Committee. Hon. Members have kept

clear of the fact that, unless the County Councils chance to be exceedingly extravagant, the whole of the money will come from the owners of property, who are represented by the Commissioners of Supply; therefore it is right and just that those who have to pay all the expenses of the police, except the amount paid by Government, should have some voice in looking after the management of the police. It is said that County Councils should have the same control over the police that municipalities have, but I would remind hon. Members that burghs are self-contained communities easily got at, and everything that happen to a citizen in a burgh very materially touches the interest of every person in that burgh, while in a county an outrage committed in an outlying part of the county, does not arouse the interest of other distant and perhaps more populous parts of the county where the inhabitants have not the slightest interest in, or anything to do with the occurrence. I do not think the Government of a county is quite analogous to the administration of affairs in a burgh. It is necessary, I think, to have this Committee to control police arrangements, and to see that they are properly carried out, in as admirable manner as they have been carried out hitherto. I do not believe there is a single Member sitting on that side of the House or on this who will say that the Commissioners of Supply have not, up to the present time, done their duty in regard to the police in the most impartial manner. I have heard no animadversions on the management by the Commissioners of Supply. These Commissioners are no distinct class, whose interests are apart from the rest of the community, they are well-known and experienced, and I think the people have the ntmost confidence in them and it is a questionable thing to place control in such matters in the hands of men who have had no experience in the management. Under the circumstances I hope the Government will retain the Commissioners of Supply in the position they have hitherto occupied. It is said by some hon. Members that this is casting a slur upon the County Council, but can it be a slur to be associated with gentlemen so well known and respected? Many of them I trust will be chosen as County Councillors.

Sir A. Campbell

Dr. HUNTER (Aberdeen, N.): The origin of this clause is very singular, so curious, that it is well worthy the attention of the Committee for a moment. Every Scotch Representative on this side of the House agrees that nothing is more absurd, more ridiculous than keeping up Commissioners of Supply for the sole purpose of forming a Joint Committee for the management of the police. It is one of those things difficult to account for, but the real secret of the proposal is to be found in a speech made by the right hon. Gentleman the Chief Secretary for Ireland, on the Second Reading of the Bill, May 23rd, when he used the following words:—

"The right hon. Gentleman appeared to think he had extracted from my right hon. Friend an admission of which he ought, it is suggested, to be ashamed, that this plan has been adopted because of the somewhat disorganized state of affairs in certain parts of Scotland, and he appeared to think that all that is necessary to set everything right in the Hebrides and the Western Isles is to give the people full control of the police. But if this were done, and the police were handed over to those who have not shown themselves over zealous for the law, serious consequences might ensue for which this House would then be practically responsible. I do not, however, deny that this was an argument which weighed largely with the Government when they were framing this Bill."

It is a peculiar form of reasoning that, because two or three counties some years ago were the scene of conflicts between landlords and tenants, therefore the other counties of Scotland should be subject to this stigma, this insult, that they should be held incompetent to do that which every burgh in Scotland exceeding 7,000 inhabitants has done in the past and is doing at the present time. I have not had a long experience of the Highland Crofter question, but I have watched it closely as a Member of this House, and I can say that the only disturbance in these crofter counties of recent years was brought into existence when the right hon. Gentleman opposite was Secretary for Scotland. That disturbance was created entirely by the action of the right hon. Gentleman himself, the right hon. Gentleman having conducted the Government of that part of the Highlands in a manner I had to characterize at the time, and further information has shown how he scandalously mismanaged the Government. Having so misconducted himself the right hon. Gentleman has sufficient

influence with the Government to have this inserted in the Bill, as a sort of statutory fortification of his own policy, and he does not hesitate to insult all these counties by imputing to them a state of disorder that exists only in his own imagination. We know very well that in the Highlands, as in any part of Scotland, the law is observed to a degree that contrasts favourably with London and other parts of the kingdom. The disturbances, the breaches of law and opposition to the law, in those counties arose out of disputes between landlord and tenant, and it is generally known now, as it was known to those best acquainted with the circumstances then, that the landlords were demanding exorbitant rent from their tenants. Parliament at that time was too much occupied with other matters to pay heed to the grievances of the Highland crofters, but even the Crofters Act, introduced by the late Government, proved that, with the solitary exception when the right hon. Gentleman himself created a disturbance in certain part of the Highlands, peace and quiet has reigned throughout the whole of the Highlands. If the Government are prepared to stand by the history of this clause we have heard from the right hon. Gentleman, then the Government must be prepared for strong opposition from Scotch representatives, for neither as representing counties or towns will they be content to sit down quietly under this unfounded imputation on their country.

*MR. SHAW-STEWART: I quite agree this is an important question of more than local interest; it is not only a Scotch question, it is a question the Government has to consider as involving the future peace of the country. I confess, when I first read the Bill, I was in favour of County Councils succeeding the Commissioners of Supply altogether, but on consideration I unhesitatingly made up my mind to support the Government proposal. I will not follow the hon. and learned Member for North Aberdeen in regard to the Chief Secretary, because it is not the Bill of the right hon. Gentleman, but a Bill introduced on the responsibility of the Government as a whole, but I will just refer shortly to the remarks of the hon. Member for North East Lanark, who said the clause would spoil and thwart the whole scheme of Local Government in Scotland. Now, does he really consider that this proposed joint Committee would be a bad Committee for Police administration? I do not think from his knowledge of past administration by the Commissioners of Supply, he will say that it is likely to be a bad Committee?

Mr. D. CRAWFORD: Inferior to the County Council.

*MR. SHAW-STEWART: I do not know exactly how it will be inferior. It will not be inferior in its powers as regards the control of the police, it will have ample powers. Then the right hon. Gentleman the Member for Stirling admits that there have been disturbances in certain districts in Scotland, because he said that special temporary arrangements might be made for dealing with the police administration in those districts.

*MR. CAMPBELL-BANNERMAN: I said that if any difficulties arose from this cause they could be met by special arrangement.

*MR. SHAW-STEWART: Quite so. But are the Government to wait for disturbances to arise, and then deal with police administration in that part of the country? On the other hand, would it not be a most invidious thing for the Secretary of State or the Government to say, "We anticipate disturbance in this or that county, and so we must withdraw the control of the police from this or that County Council?" I think that any Member representing that particular county would make himself heard in this House with considerable effect. If I have had any doubts in making up my mind to support the Government proposal, I find consolation in the speech of the right hon. Gentleman the Member for Stirling. He tells us that if the clause is passed it can only exist for 10 or 12 years, and it is sure to be repealed at the end of that period. I am quite content to have the experiment tried for that period and then judge by the result if it is expedient to hand over the control to the County Council. It may be that then, if the right hon. Gentleman and myself have the honour of seats in the House, I may assist him in carrying out this suggestion.

MR. R. W. DUFF (Banffshire): I notice that only two Scotch Members

have spoken in favour of the Government proposal. Speaking as a Commissioner of Supply with some experience—I have acted in that capacity over a period of 28 years in three counties—I say at once that I thould not care to undertake this duty under the clause while the other functions of the Commissioners are discharged by the County Council, and this, I believe, is the feeling of Commissioners generally. In Forfar and Stirling the Commissioners have come to that decision unanimously. I can easily understand this. Many of the Commissioners will desire to become Councillors, and they do not want to be handicapped when they seek election by the prejudice in the minds of the electors against a dual representation. I would appeal to the Government to reconsider their determination and to simplify their Bill, getting rid of the finance difficulty by an equal division of rates between landlords and tenants, and, abolishing Commissioners of Supply altogether, have a popular representation. Any difficulties that are suggested to the present arrangement might be overcome, and existing leases, of course, might be exempted. The whole local taxation of Scotland is four millions, and the portion falling exclusively on landlords is only £150,000, and if this were equally divided between landlords and tenants there would be no financial excuse for keeping up Commissioners of Supply Many hon. Members have spoken of the distrust of the Government who hesitate to entrust the control of the police to a popularly elected body, but if that is the reason, I am sure the Government are doing an injustice to the people of Scotland. That Commissioners of Supply have performed their duty well in the past I readily allow, but they cannot exist side by side with the new popularly elected body.

THE CHIEF SECRETARY FOR IRELAND (Mr. A. J. BALFOUR, Manchester, E.): I should not have thought it necessary to intervene in this discussion were it not for the pointed references of the hon. Member for Aberdeen (Mr. Hunter) to myself and my supposed connection with this clause. The hon. Gentleman apparently regards me as the villain of the piece, and thinks it is due to my influence with my Colleagues that this provision has been introduced into the Bill. The hon. Member has twisted some sentences which fell from me on the Second Reading of the Bill into support of his assertion that I desired to insult all the counties in Scotland because I had been the author of certain disturbances in two of those counties. The hon. Gentleman is, however, very much at fault in his supposition. It is perfectly true that when I had the honour to hold the office of Secretary for Scotland I found it necessary to deal with a state of disturbance in the Western Highlands; but the hon. Member does me an injustice in supposing that I was the author of those disturbances. Whether any Government was the author of them or not I will not discuss; but I found them flourishing and in full swing when I came into office; and, therefore, if any Advisers of Her Majesty were responsible for this condition of things, they were the Friends of hon. Members who sit on the Front Bench opposite. But, as the hon. Gentleman is probably well aware, with the agrarian disturbances in the West of Scotland the Government of which I was a Member had nothing to do; and if any responsibility existed in regard to them it was for permitting them to go on unchecked so long that it became more difficult to deal effectually with them at a later stage of the proceedings. As regards the question before the Committee, let us approach it in a practical spirit. That question is, how far consistently with sound administration we can or ought to destroy the Joint Committee of the Commissioners of Supply and the County Council which the Bill proposes to set up. The clause divides itself into two parts. The matters to be dealt with are capital expenditure and the police; and the justification for giving control of capital expenditure to such a Joint Committee is obvious. The capital expenditure presses directly on the owners of land in Scotland. In England it may be that the increase of the rates falls, and continues to fall, on the person who first pays them; but that is not the case in Scotland, where the leases are revised every 19 years, or a less time; and in determining the amount of the new rents the rates and taxes are taken into account. Therefore it happens that any local expenditure which stretches over a long period falls on the owner rather than on the occupier of land. When, therefore, we are dealing with

capital expenditure, the permanent and ultimate burden of which falls on the owner, ought he not to have some share in determining what that expenditure is to be? But under this provision we do not give him this power as logically we might; all we propose is to give the owner something less than half the joint management of this concern which is the owner's concern. The last speaker has admitted the force of that argument, because he has suggested the most violent alternative for getting rid of the difficulty. The hon. Gentleman says, let us divide the rates. Although that might be theoretically equitable it would have the effect of imposing a fine on the tenantry of Scotland for this Bill, and this the Government are not prepared to do. We do not think it would be expedient —whether it would be just or not I will not argue now—to adopt the suggestion thrown out by the hon. Gentleman (Mr. Duff) and by the right hon. Gentleman the Member for Stirling (Mr. Campbell-Bannerman) on the Second Reading, that as an alternative we should do anything so violent—to make such a violent alteration in the system of rating as to relieve the landlords of half the rates by imposing an additional burden on the tenants. With regard to the second function of the Joint Committee, no solid argument has been adduced against the proposal of the Government, only some speculative opinion that it is opposed to the abstract principle of representation. It has not been hinted by any opponents of our proposal that the police would be ill-managed by the Joint Committee; and no one has ventured to assert that if we give over the police in every county of Scotland simply to a popularly-elected representative body the police will be well-managed. Perhaps I ought to make an exception in the case of the right hon. Gentleman (Mr. Marjoribanks) who expressed serene confidence in the management of the police by the crofters. One hon. Member has suggested that a better plan than that of the Government would be to give to the Executive, to the Secretary for Scotland, or some other high officer of the Government, power to exclude certain parts of Scotland from the operation of the amended Bill in case the powers given by the amended Bill were abused. The alternative thus suggested is a violent one, and far worse than the proposal of the Government. As I object to halving the rates between the owner and the occupier in order to get rid of the injustice of throwing the whole capital expenditure into the hands of a popularly-elected body, so I object to the expedient of giving the Executive of Scotland the power of determining whether in this county or in that the Local Authorities should have the management of their police. There is no real resemblance between the conditions obtaining in a populous city and those of a county like Rossshire or Invernessshire. In a burgh everybody has so immediate and vital an interest in preserving peace and the law that we may and do with perfect safety intrust the management of the police to burghs in Scotland with over 7,000 inhabitants. But can any one but a doctrinaire say that the same principle can be applied to a scattered community in counties such as I have mentioned? I firmly believe that the ultimate interest of every man is bound up in the preservation of law and order. But what we have to consider is whether it is so bound up. Anyone who, apart from political considerations, considers how best to secure the proper maintenance of law in remote parts of Scotland must, I am sure, be convinced as the Government have been, that we should be running a very serious risk if we were to adopt the Amendment before the Committee. If this Bill is carried in its present shape, we are told that as soon as right hon. Gentleman opposite get into power they will modify the Bill in the way proposed. Let it be so, and let the responsibility rest upon them; but for my part I cannot be a party to a proposal which, while it would not conduce to better administration of the police in any part of Scotland, would in one or two parts of that country produce evils for which this House will, if it accepts the Amendment, make itself in part responsible.

SIR G. TREVELYAN (Glasgow, Bridgeton): There is one argument the right hon. Gentleman used on the Second Reading of the Bill, which seems to me to require a word of notice. Arguing in favour of keeping up this combined Committee because the capital expenditure of the rates ultimately falls on the landlord in Scotland in a different way from that in which it falls

elsewhere, he explained a process which appeared to me to be extraordinary at that time—so extraordinary that I doubted if I quite comprehended the right hon. Gentleman's meaning. He has repeated it to-day in the clearest manner. His argument is that in Scotland the capital expenditure of rates ultimately falls on the landlord, because rents are remodelled and revised every 19 years or less—and I am willing to take 19 years, although I think the period nowadays is not more than half that—whereas, in England, the tenancies being at yearly rents, they are not remodelled in consequence of a rise in rates. Landlords in Scotland who know something of landlords in England, and landlords in England who know something of landlords in Scotland will say that during the last few years the process has been exactly opposite to that described by the right hon. Gentleman. In the North of England, where long leases exist, it has been the universal practice not to claim the existence of these leases against the tenants, but to lower the tenant's rent exactly as if he was a yearly tenant when prices went down, and agricultural distress began, whereas in some places in Scotland bad landlords—I hope very few—have used the long lease for the purpose of draining the tenants of their money, which ought to have been their reserve for agricultural operations in the future. I can assure the right hon. Gentleman that when a revision of rent is made in England the change in rates is taken into account, and there is much more freedom than in Scotland in the matter of lowering the rents. I cannot think what this argument of the right hon. Gentleman leads to. It is certain that in political economy, whatever may be the case of this estate or that, a change of rates ultimately falls on the landlords. Therefore, by using this argument the right hon. Gentleman cuts at the root of giving Local Government to the great body of the people all over the United Kingdom in his desire to keep up this most anomalous single Joint Committee in Scotland. I cannot understand how a political economist like the right hon. Gentleman can think he has used a sound argument on this question of capital expenditure. So much for one of the two reasons for the keeping up of this Joint Committee. But with regard to the other question of the police, I beg to remind the right hon. Gentleman that it is a perfectly fair construction of his argument to say that the course of action of the Government has insulted the great body of the Scotch people for the sake of a few communities, because it amounts to saying that they are in each county not fit to be trusted with the care of the morality and security of their own confines. I believe communities in the Highlands can be safely trusted with the care of their own police, and that this substitute that the Government have introduced is the most unfortunate that could be devised, having regard to what we are told as to the experience of one or two of the Welsh counties. Do the right hon. Gentleman and the Lord Advocate really think that by proposing a Committee, half of which is to be elected by the Commissioners of Supply and half by the great body of the people, who believe they are suffering under a grievous wrong, they have done away with the difficulties in the management of the police? The best of the Commissioners of Supply will have been elected on the County Councils, and those who remain will bring to bear on the business before them very little except what I am afraid I must describe as the prejudices of a class. Those men who are free from class prejudices are the hard-working practical men of business who will be elected. The other half will be elected from the representatives of the County Council, who will put forward—as the experience of England has already shown—no one who is a Commissioner of Supply. I am told that the only bone of contention in some of the English County Councils is in reference to this matter of the Police Committee, the declaration of the Councils being that they will not put on it a single Magistrate, however good a man he may be. In those counties where there is some ill-blood, dissensions will at once begin in the Police Committees; whereas, if the Government trust the people, as I hope they will, throughout the whole of Scotland, the people will be put upon their good behaviour, and if any difficulties occur, the Government can come to Parliament and get any exceptional powers they require. I am quite sure that, as a supplement to the admirable system of revision of rents

which is beginning to give hope and a sense of justice to the people of the Highlands, the next measure ought to be to show confidence in them by calling upon them to perform the first duty of citizens by keeping the peace in the counties in which they live. The worst thing the Government can do is to inflict a great injury and a practical insult upon the rest of Scotland because they distrust a portion of its people.

MR. FIRTH (Dundee): If this Amendment is carried, the system of Joint Committees proposed in this Bill will not be created. Well, we have not yet had a very wide experience of the working of the Joint Committees as established by the Bill of last year. I confess I thought then, and I think still, that the creation of these Joint Committees was a peculiarly unhappy expedient. By the present Bill the Joint Committees are to be composed of seven members from the County Council and seven from the Commissioners of Supply. It is true the Government have given a casting vote to the Sheriff, and I think if this division of the committee is to obtain, they have acted wisely in so doing, for we recently had before us the spectacle of a meeting of a Joint Committee to which there was no such power given. Six members of the committee had been appointed by one authority and six by another; and when it came to voting, six voted one way and six the other, so that it was impossible for the Chairman to say what ought to be done next. In the present case, as the Sheriff will have a casting vote, such a difficulty as this will not arise. But there will be other difficulties. The County Council will be a popular body in the sense that it will be a body elected by the people. It will probably send seven men, holding very strong views on the subject of police, to the committee, and they will be met by seven others holding equally strong views on the other side. You will not, therefore, have that joint action on the part of the committee, which from its name you might expect. The Chief Secretary for Ireland said just now that it would involve serious risk to place the control of the police in the hands of the more popular body. Well, that serious risk seems to arise everywhere. In Ireland we have had it until we are tired of hearing about it; in London we have had it till we are tired of hearing about it, and now a new and serious risk is discovered in the Highlands of Scotland, where the population are most loyal and law-abiding. So far as the Joint Committee is concerned, I should be glad to see an end put to it; and I cannot understand why the Commissioners of Supply should be dealt with in this way. Why should they not all stand an election to the County Council, and exercise through that body the functions which their character and position amply justify them in exercising? It seems to me that, under the system proposed by the Government, the Commissioners will, practically, have nothing to do. They will have one annual meeting at which they will elect somebody else—about the worst system of double election which could be created. I think, therefore, that the system of Commissioners of Supply might very well not be continued. You cannot have a body that will deserve public respect unless you give it public functions to perform, and the functions you are going to give to the Commissioners of Supply will be extremely inadequate. In two or three respects, especially in the exceptions that are made in regard to the Joint Committees, there is in the proposals of the Government great violation of the principle of giving the public greater control over their own local affairs. Therefore, if the committee cannot itself come to the conclusion that this Amendment ought to be carried, I hope that the Government will prove amenable to judicious pressure in the matter.

MR. MARK STEWART: If hon. Members on the other side of the House were as familiar with the ordinary practice of the Commissioners of Supply as they are with the provisions of this Bill, they would, I think, modify their views in regard to the Amendment. Having myself had some 25 years' experience on Police Committees, I can say that the Commissioners of Supply have hitherto conducted that part of their duties in a very satisfactory manner. The amount of crime and the expense of the police in Scotland are alike small. How, therefore, can it be said that relegating to these men who have managed the police for the last 20 or 30 years is a blot upon this Bill? I am convinced that very few people in

Scotland at the present moment know who the managers of the police are, and that the subject does not trouble the public mind. Therefore, the observations of the hon. Gentleman the Member for Dundee in regard to popular election, are not of much force. I know that popular control over the police is a Party cry with Gentlemen opposite; but however loud the cry is, the committee should not be diverted from its purpose, which is to have a good Act passed. As to the long leases to which reference has been made, though I admit that some Scotch landlords—whose conduct in the matter I, for one, earnestly deprecate—have not made allowances to the tenants for the great losses they have incurred of late; yet, on the other hand, there are many landlords who have made allowances. To say, however, as the hon. Member for Dundee has done, that the clause as it stands is a stigma upon, and an insult to the people of Scotland, is unworthy of the hon. Member, and so illogical that I have felt compelled to rise in order to offer a strong protest. I shall certainly support the Government, as I believe they command the assent of the majority of the country who are thoroughly satisfied with the position they have taken up. The clause is a very satisfactory solution of the question; and believing that it is a rational and sensible view, and the only view that the Government could, under the circumstances, have come to, I shall support it.

MR. A. ELLIOT (Roxburgh): Before we go to a Division, I should like to give my reasons for the vote I am about to give, especially as there is great difference of opinion amongst us on this important question. To my mind, there is much in the Amendment that naturally commends itself to the House; but we have to deal with a difficult state of things, and the Government, on their responsibility, have put before us a proposal not as being in the abstract a proposal of unquestionable soundness, but as one to meet the particular difficulties of the time existing in particular districts. I was present during almost the whole of the discussion on the Second Reading of the Bill, and I heard with some sympathy the statement of the late Lord Advocate and the Chief Secretary for Ireland to the effect that the state of affairs in certain counties in Scotland was unsatisfactory in the highest degree. As these gentlemen spoke as having occupied positions of great responsibility, it seems to me that the House should attend to their words. What they said was that it was extremely probable that certain provisions would be required. ["No, no!"] I understood them to say that what would be suitable to the ordinary counties of Scotland would not be suitable to particular parts. I have not heard that contradicted before. Now, the question of police is one essentially different from other questions of local administration. The Commissioners of Supply do not occupy the position that Local Authorities in burghs occupy as to the police. The central administrative authority in the counties is the Sheriff, and I should like to know whether the ultimate intention is to give to the elected members of the County Councils greater power over the police than that possessed by the present authorities. ["No, no!"] It is desired that they should have the same authority over the police that the County Councils of England possess — ["No, no!"]. Well I am glad to hear that that is not to be the case. What are we to do with regard to what are called the crofter counties? Are the Government mistaken when they tell us that it would not be safe to trust the elected members in these counties with the control of the police? One of the great functions of the police is to enforce not merely local, but Imperial laws, such, for instance, as the decrees of the Court of Session in Scotland. Supposing the Government are right with regard to the crofter counties, and those counties refused to enforce the decrees of the Court of Session, what would be the condition of things? Until some responsible person says that that cannot take place, I think we ought, in the interests of peace and order, to give our support to the proposal of the Government. No doubt, so far as regards three-fourths of Scotland, it will matter very little how the committee is appointed. It is all very well for Gentlemen to get up and say they would be willing to entrust the County Authorities with these powers. I must say, Sir, from the language used on both sides of the House with reference to this subject on the occasion of the Second Reading, it will be the duty of

Members on both sides to support the proposal made by Her Majesty's Government in the interests of law and order.

*MR. J. B. BALFOUR (Clackmannan): I should not have risen on this occasion had my hon. Friend quite accurately represented the tenour of my remarks on the Second Reading. While I fully recognize the importance of the subject, I gave reasons which I thought good for entrusting the control of the police to the County Councils throughout Scotland without the intervention of the Commissioners of Supply. I maintained then, and still maintain, that it was an unfortunate feature of the Bill that it should found elective bodies, and then proceed to withdraw from them powers certainly the most important, and which are entrusted to analogous bodies in towns. After we have had for so very long a period the control of the police in burghs entrusted to the elected Councillors, I apprehend that some very strong reason must be shown by those who decline to do the same thing for the counties of Scotland. I have scarcely heard any objection at all except that urged by my hon. Friend on the other side as regarded the manner in which they would execute their office. Reference has been made to the manner in which the Commissioners of Supply have discharged their duties. I do not think anyone complains of them. The question is whether the time has not arrived for establishing a great representative system throughout the whole of Scotland, and the very fact that there is a small amount of crime in Scotland is an argument of favour of the people of that country having control of the police, for it shows they can be trusted. The only remaining objection that has been stated to this part of our proposal is the difficulty which has arisen in the Highland counties. Undoubtedly, we have had experience of very painful troubles in a few of these counties, but I see no reason for altering the opinion I expressed on the Second Reading of this Bill—that even in these counties the County Councils—which would be elected by, and would represent the whole county, and not merely the disturbed parts—might safely be entrusted with the control of the police. Butthe scheme of this Bill is to leave the functions pertaining to the control of the police fulfilled by the Joint Committee, consisting in part of Commissioners of Supply. My hon. and learned Friend behind me seemed to be under the impression that I had intimated an opinion that the two counties in question would, or might, fail to allow the police force to be properly maintained or to be employed where their services were required.

MR. A. ELLIOT: My impression was that the right hon. Gentleman said that special conditions would be required.

*MR. J. B. BALFOUR: My hon. Friend has misapprehended me. What I said was this—that if our belief and expectation as to the Highlands turned out to be wrong, it would be perfectly easy to put into the Bill machinery which would deal with the case. I believe that exceptional provisions would not be required for these counties. If the Government, with the knowledge it possesses of the state of feeling in them, should think that such provisions probably would be required, it would be very easy to put them into the Bill. One suggestion was—that if a locality declined to maintain an adequate police force, the Secretary for Scotland should be authorized to intervene. I do not think it is probable that any County Council would decline to allow the executive officer of the law to put the police under its control into action. If they did, it appears to me that the powers of the Sheriff, as representing the Crown, were sufficient to entitle him to claim the services of the police. The question comes to be whether you, from an apprehension of that kind, are going to make a highly exceptional condition in a particular part of Scotland the basis of a general rule against the whole of the people of Scotland. I say it should be the other way. Exceptional circumstances should be met by exceptional provisions. There was another suggestion made in Committee about the propriety of leaving this in the hands of the Joint Committee, on the ground that the police rate had always fallen upon the owners of land. Whether the suggestion is accepted or not, I maintain that the rate should continue to be levied from those upon whom it has fomed a charge in time past. The rate has always been levied on the ownership of land, and for my part I do not see why it should cease to be so. What is called the county rate now

is a mere fraction of the total rates paid in counties. So that I say it is not worth while to cut and carve upon a small rate like this. There is another function for which this Joint Committee is proposed to be appointed. I will not go into the question of political economy; but I do think the function is one which might very well be left to the County Council, and it relates to what is called capital expenditure. That capital expenditure involves matters of the greatest local importance—the construction of new roads and bridges, drainage works, water supply, and the like; but, according to the proposals of the Bill, sanitation—that which concerns the health of the community—is to be left not in the hands of the County Council, but in the hands of this Joint Committee. I submit that there is no reason for constituting an elective body, and then withholding from that body and give to some old body, the most important duties which the new body ought to perform. I hope that, on re-consideration, the Government, with whatever safeguards they may think necessary in respect of exceptional districts of Scotland, will see their way to accepting the Amendment of my right hon. Friend.

DR. CLARK: Only two arguments have been used in favour of the course taken by the Government, and with reference to the political economy argument I do not require to say anything. Political economists in Scotland, from Adam Smith down to Mr. Arthur Balfour, have taught the doctrine that ultimately all rates fall on the landlord. The right hon. Gentleman the Secretary for Ireland thinks the law of economy operates differently in England to what it does in Scotland. I am not prepared to follow Mr. Arthur Balfour's political economy, and I scarcely think it worthy of the high reputation he has obtained in other walks than that of politics. I have put down an Amendment to the Supplementary Bill which will have some effect on this question, and its object is to carry out a proposal that was made to have the Western Highlands formed into a county. That proposal is that Skye, Lewes, and Uist shall form a county of themselves. You are going to have special and exceptional privileges in certain districts of Scotland, and I say that if you give those privileges you ought to lay down some limitation as to self-government. If you give six counties special privileges, and deny them to the rest of Scotland—local self-government and the control of the police—I think you ought also to have some limitation. The matter could be arranged if the Government would agree to my Amendment. I think I know something of the Highlanders. My hon. Friend the Member for Banffshire has pointed out that there is only a small amount of crime in the Lowlands of Scotland; but we have three times less crime in the Highlands, or, practically, none at all. Nowhere in the world is there so law-abiding a people, and nowhere is there such a feeling of mutual sympathy between the police and the people as in the Western Highlands. Why a policeman in the Highlands is like a little king; the community make him Judge and Magistrate, and give him, by local consent, the position of general arbitrator. It is only when the rights of property are interfered with to an extent which inflicts actual wrong, that the scenes referred to occur. I think, however, that these occurrences will never be experienced again, because this House, if it makes the law just, will find that the people will support the law and the officers of the law. If these scenes should recur, there is no force of police in the Highlands to put them down, and the Forces of the Crown would consequently have to be called in. I do not think that the rest of Scotland should be deprived of its rights because of the special condition of the Highlands, and inasmuch as you are giving special privileges to particular districts, I say you ought to introduce some limitation as to local self-government.

MR. FINLAY (Inverness): I desire to say a few words on this question. I think the Committee will have listened with great interest to the speech of my right hon. and learned Friend the Member for Clackmannan. The tone of that speech was very different from the tone of other speeches we have heard. The right hon. and learned Gentleman seemed to recognize, as one who had experienced the responsibilities of office, that some exceptional treatment might be required. He showed the possibility of giving the Secretary for Scotland a controlling power over the Local Authority,

but I apprehend that if the right hon. Gentleman endeavoured to put that suggestion into the clause he would find great difficulty in working out any scheme that would be practical under the circumstances. This being so, and as there is no other proposal which appears to me to meet all the conditions of the case, I feel that I cannot do otherwise than support the Government on this question. There is another aspect of the case which has been referred to. The Commissioners of Supply are to continue in existence for certain purposes in respect of the rate which falls upon them. It has been suggested that a transference of the rate might be effected. I apprehend that that would be a matter of some difficulty, and that a good deal of discontent would be caused in the counties of Scotland if the endeavour were made to give practical effect to that proposal. It may be that, from an abstract point of view, a good deal might be said in favour of these proposals; but if they were carried out I believe there would be anything but satisfaction created in many of the Scotch counties. I rose also to say that I was very much struck with the observation made by my hon. Friend the Member for Banffshire with regard to the possible effect of the election of County Councils on the continuance of the Commissioners of Supply. I apprehend that every one in all parts of the House is agreed that it is most desirable that the County Councils to a considerable extent, at all events at first, should consist of those who have acted as Commissioners of Supply. It is very desirable that there should be a large element of that kind on the County Councils, at any rate when they take over the management of county affairs. But it has been suggested that the Commissioners of Supply might be very heavily handicapped in their candidature for seats on the County Councils, and that they might be met in many cases by other candidates who would come forward and say to the electors:—"Return me; do not return my opponent; he is a Commissioner of Supply. Are you going to put him into office as a County Councillor? It would be like returning to the House of Commons a Peer and giving him a double vote and double power." At present I see no proposal which we ought to adopt other than that of the Government, and, under the circumstances, I shall give my vote for it; but I should be glad if the suggestion made by the hon. Member for Banffshire were fully considered, and that some endeavour should be made to ascertain whether another plan which would obviate the serious difficulties I have referred to could not be devised.

*MR. A. SUTHERLAND (Sutherland): I attach very great importance to the Motion before the Committee. The whole question of Local Government in Scotland is contained in the 11th clause. In past times the Local Government of Scotland was centred in a body called the Commissioners of Supply, and it is now proposed to transfer some of their powers to the County Council. I think Clause 11 is far more important in its exceptions than in the rule it lays down, and that if the Government are very anxious to solve this question they would afford facilities for so doing. But it is of no use to disguise the fact that the whole principle underlying this clause is mistrust of the people. Because of certain occurrences in the Highlands the people in the rest of Scotland are to be deprived of the control of the police. On the Second Reading of this Bill I went the length of stating that, so far as I knew, the people of the Highlands of Scotland would be willing to be excluded rather than the remaining portion of the inhabitants should be deprived of the control of the police. I should like to point out that the circumstances referred to instead of being an argument against granting the control of the police to the people of the Highlands might be used as an argument in favour of giving that control to the people. If the police had been under the control of the people the disturbances alluded to would never have taken place, and we should never have heard of anything of the kind. We know very well that it was the pushing of the rights of property on the part of the landlords to the extreme in the Highlands which caused those outbreaks. Since then the contentions of the people in the Highlands have been submitted to an impartial tribunal. Is it not the fact that that was the cause of the disturbance in the Island of Skye? The accredited representative of the Government stood up in this House and asserted that the people never had the right to cer-

tain grazings. He said that because he trusted to official information on the spot; but the very man who supplied that official information to the Government was subsequently made to produce documents before the Court, which proved that the people had the right of grazing. I maintain that the very fact that these disturbances were justified in the Highlands is the very strongest argument that can be adduced in favour of handing the control of the police to the people. The Government profess to be in favour of taxation and representation going together. I, too, wish that they should. If the landlords of the Highlands pay the rates, then it is only right that they should have control over the expenditure; but the fact is, the rates come out of the pockets of the producers, who are therefore entitled to share in the representation.

MR. GLADSTONE (Edinburgh, Mid Lothian): Before the Committee divides I should like to make briefly a few observations upon this subject. My hon. and learned Friend the Member for the Inverness Burghs (Mr. Finlay) has addressed the House, and his arguments, as might be expected from his great talents and abilities, vary on different occasions, but his conclusion is the usual one. He falls into the stereotyped form whenever he reaches that portion of his speech in which it becomes his duty to announce his decision. He speaks as if in anticipation of the moment when he may take a distinguished seat upon the Treasury Bench, for which his abilities and principles appear alike to qualify him. To-day he has shown as much courage as on other occasions, and he has no difficulty in voting for the Government, although he admits that the argument of my right hon. Friend the Member for the Stirling Burghs with respect to the Commissioners of Supply is of the utmost importance, and that he is unable to supply any answer to it. He overleaps these difficulties with an agility which I have never seen surpassed in this House. On the general question the position is rather singular. As has been observed by the hon. Member who last spoke, in this clause the exception is much more important than the rule. The House is about to constitute for the first time an elective system in the counties of Scotland, and that which the Committee is now invited to do is to exclude from that elective system what may almost be called the alpha and omega of local government. The care of the police, I might almost say, is itself local government. Why was local government established? It was established for the specific and originally the sole purpose of discharging locally the very duties that are now in the hands of an organized police. And it was given to the localities, because so direct was their interest and so superior were their advantages in point of knowledge for dealing with the case, that local government grew up in order that the business of the police—namely, the protection of life and property—might be under the direct superintendence of the inhabitants, and not dependent on the Central Authority of the country. It is literally true that now we are called upon for the first time to give the people of Scotland a great boon, we are asked to exclude from the operation of the new system that which should be its principal and capital object. This debate has made it obvious that the balance of Scotch opinion as represented in this House—and represented in a manner which some of us think is rather inadequate and which is likely to be modified—is largely in favour of the proposal of my right hon. Friend the Member for the Stirling Burghs, and if the proposal of the Government is carried it will be carried in defiance of Scotch opinion. I hope right hon. Gentlemen opposite will recollect this—that the effect of repeating and multiplying these denials to Scotland of what she wants in matters exclusively her own for the purpose of beating her into a sort of uniformity with England will have no influence in weakening any desires in Scotland for larger powers, but will be more likely to give a stimulus—perhaps even an unhealthy stimulus—to those desires; and if they wish to prevent that and get rid of the embarrassment likely to arise out of larger demands hereafter for the purpose of satisfying Scotch opinion, the best way of doing it is to take prudent precautions, and on occasions like this to allow Scotland to decide as to her own local affairs when we can do it without inflicting any injury on the rest of the kingdom. Reference has been made to the fact that in boroughs, both in Eng-

land and Scotland, the care of the police is already in the hands of the Municipality; but the Secretary for Scotland seems to think that this is a very feeble argument when it is applied to the counties. But, in my judgment, and in the judgment of those who sit on this side of the House, the argument drawn on that question from the burghs is an extremely strong argument—an argument *à fortiori*. The most difficult portion of the population to be governed—and I thank God that there are none that are really difficult to govern—is certainly not in the counties, but if anywhere, perhaps from some sporadic elements of disorder to be found in them, in the burghs; and considering that the population of the largest burgh in Scotland far exceeds the population in any of its counties, the argument to be derived from the fact that the burghs so successfully manage their own police is a very cogent and almost an irresistible one in favour of giving to the counties the control of their own police. Now, Sir, after listening to the speeches which have been made, I say it is quite evident that the present proposal of the Government is founded either on the supposed necessity of uniformity with England or else on the case of certain Highland counties. Reference has been made to the intimation by an hon. Member that if the proposal of the Government is adopted it will in a short time be repealed. I believe in that prediction, and I do not think it is disbelieved in on the opposite side of the House. The Minister who has spoken said—"Let it be done, and if it is it will be upon your responsibility." I think that this House has something better and more practical to do, and that its time is more valuable than to be occupied in building houses that they may be lightly thrown down. That is the only description I can apply to legislation of to-day, if we expect it to be destroyed to-morrow. It is not the first time it has been done. In 1867 we passed a Franchise Bill with all manner of limitations, intended to save the Constitution, by not allowing votes to men who had not paid rates personally out of their own trousers pockets; but all that was undone in 1869. Will the application of our time to legislation built up with the certainty of being soon pulled down again add to the dignity or the credit of the House? I am glad it is now understood that there is no admission on this side of the House that there will be a necessity in the Highland counties for special provisions. We are not here to legislate except for what is reasonably probable and likely. We have not to look to the extremest cases; if they should arise they can be dealt with hereafter. I say that, in our belief, there is no reasonable likelihood of such a necessity, and the burden ought not to be laid on us of now making provision for it. There might be many other ways of dealing with this matter. I will not discuss their respective merits; but the only reason assigned for the course taken by Her Majesty's Government is some supposed disorder in the Highlands which we on this side of the House think will not arise. We shall, however, be quite prepared to consider any reasonable proposition for dealing with such a matter; but no method could be so bad as to make the exception into the rule, and to establish over the whole of Scotland a system which has no shadow of justification, save in the state of things alleged to exist in a diminutive portion of that country.

The Committee divided:—Ayes 205; Noes 113.—(Div. List, No. 180.)

MR. HOZIER: I beg to move to insert at the end of the sub-section—

"And provided that nothing in this Act contained shall affect the powers and duties of the Commissioners of Supply with respect to the appointment of Commissioners for general purposes under the Property and Income-tax Acts, the assessing and levying of the Land Tax, and the division and allocation of old valued rent."

MR. J. P. B. ROBERTSON: The duties referred to in the Amendment are of a very limited description. The Government, however, have considered what can be done, and they propose to put down an Amendment in the second Bill by which the Sheriffs will be continued as Commissioners for the assessing and levying of the Land Tax. Under these circumstances I will ask for the Amendment to be withdrawn.

Amendment, by leave, withdrawn.

*MR. BUCHANAN (Edinburgh, W.): The Amendment which I have to move is one of some importance, and it has for its object to put upon the new County Councils

"The duty of maintaining and protecting all public rights of way over roads, drove roads, bridle-paths, footpaths, ferries, and foreshores."

I think it is only right that this duty should be imposed upon a public body, especially as there is now a growing practice, especially in the Highlands, of debarring people of their rights. What is everybody's business is nobody's business, and there having been no public authority to preserve these rights of way, they have been lost. And it is worse in the Highlands, where the population is poor and scattered. Seeing that the County Councils are to be charged with all matters of county administration, I think they will be the best authorities to undertake the duty. When the right hon. Gentleman the Chancellor of the Exchequer represented one of the Divisions of Edinburgh, he himself remarked that this was one of the duties which should be undertaken by the new authorities to be constituted. The difficulty in England was by no means so great as it was in Scotland, for in the former country the people are much more able to protect themselves. I hope the learned Lord Advocate will agree to the Amendment.

Amendment proposed, Clause 11, page 3, line 22, insert—

"The duty of maintaining and protecting all public rights of way over roads, drove roads, bridle-paths, footpaths, ferries, and foreshores."—(*Mr. Buchanan.*)

Question proposed, "That those words be there inserted."

THE SOLICITOR-GENERAL FOR SCOTLAND (Mr. MOIR T. STORMONTH DARLING, Edinburgh and St. Andrew's Universities): We are engaged in setting up a new administrative body, and it strikes me as rather foreign to the purpose of such a body to impose upon it the duties which the hon. Member desires. What the hon. Member wishes to lay on the County Councils is the absolute obligation to maintain and protect all public rights of way. It must not be supposed for one moment that the Government have anything like an antipathy to, or jealousy of, the establishment of rights of way in Scotland. The position of matters at present is this:—The establishment of a right of way is a popular action which can be raised by anybody, and it often has been raised by the poorest of the population, for there has not been found the least difficulty in raising funds for the purpose. I do not think there is much disposition on the part of landowners in Scotland at the present day to resist the establishment of rights of way where they are reasonably exercised, and I am not aware that any extensive or serious grievance has arisen from the denial of those rights. It does seem to me that to impose on the County Council this new duty, which really involves the raising of law-suits, would not tend to promote its harmony and smooth working; and, therefore, for these reasons the Government are not prepared to accept the Amendment.

*MR. CHILDERS (Edinburgh, S.): I should like to say a word or two on this subject, and in support of the Amendment of my hon. Colleague. There is no doubt that whatever may have been the duties assigned to local bodies in past times there are two duties which at the present time are daily becoming more and more incumbent. One is the duty of protecting ancient monuments—about which this Amendment says nothing, and the other is the preservation of rights of way. What is the state of things now? It is quite true—as the Solicitor General has said—that there is a remedy. In many cases that remedy takes the form of a number of persons assembling together armed with weapons in order to break down the obstruction to a right of way, and this sometimes leads to actual riot. It is possible by such means, or by very expensive actions at law, to raise the question of the right of way; but the proposal contained in this Amendment is to substitute a regular and more simple process, to make a public authority responsible for protecting these rights, and to put an end to the disreputable scenes which have occurred in the past. I hope that the Government will not resist this proposal, in favour of which the Chancellor of the Exchequer spoke very strongly not very long ago.

SIR G. CAMPBELL (Kirkcaldy): "It's all very well to dissemble your love, but why did you kick me down stairs." It seems to me that the Solicitor General's argument is a lawyer's

argument intended to defeat the Amendment. He almost reduces it to a matter of absurdity. There is a gradual usurpation of the rights of the public continually going on, and it is time that some proper public authority was established to deal with the matter. It is absurd to talk of any poor man establishing a right of way. The landlords are adopting many direct and indirect means to discourage the use of public rights of way. In the case of one road, which was once a main road from the Lowlands to the Highlands, a notice was posted which was certainly calculated to discourage the use of the road. It was in these terms:—"Persons coming this way are requested to communicate with the gamekeeper, in case they should be shot." By rejecting the proposal the Government will be going in the most pronounced way against the feeling of Scotland. I hope that they will accept it, even if they should think it necessary to modify its terms.

MR. FINLAY: I wish the Government would adopt the Amendment of my hon. Friend the Member for Edinburgh. The Solicitor General for Scotland considers that there is no necessity for it, inasmuch as action can be taken by any one of Her Majesty's subjects. But to my mind one of the strongest arguments is to be found in the fact that these are popular actions in support of public rights; and what body is fitter to represent the public in this matter than the elective body we are setting up in every county in Scotland? The Solicitor General fears the granting of such powers in Scotland would tend to encourage litigation. In Scotland a great many rights of way have already gone, and there is therefore the greater necessity to protect those which are left. I believe that if the Amendment were carried, that very fact would tend to prevent the rights of way being interfered with. It might be that the County Council should be left some discretion in the matter; and if my hon. Friend will modify his Amendment in this sense—that the Council shall have the power, if they think proper, to take proceedings in respect of these rights of way, I will suggest to the Lord Advocate that it would be a right and reasonable thing to assent to it.

DR. CLARK: I should like to see the Amendment amended by the insertion of the word "bridges." When the Roads and Bridges Act was passed there were a number of roads and bridges not included in the schedule. Those roads were not taken over by the new authority, nor did they continue to be maintained by the old body, and the result is, that although many of them were much needed they have fallen into disrepair. I think the present a favourable opportunity for remedying the mistake made in the former Act.

MR. SHIRESS WILL (Montrose, &c.): I submit that the answer given by the Solicitor General to the case made out on behalf of this Amendment is insufficient. In Scotland there is a very peculiar hardship in this matter. In England the process of defending these rights is an expensive one, although it is not so expensive as it is in Scotland. Actions in these cases can be, and frequently are, carried to the House of Lords, and very great cost is consequently incurred. I think some less expensive remedy should be devised, and I hold that the County Council is the proper body to undertake the duty of protecting the rights of way. They are the body to have control of the roads, and this duty cannot, therefore, be foreign to the purposes for which it was created. I hope that the Amendment will be accepted.

*SIR C. DALRYMPLE (Ipswich): One result of the uncertainty prevailing in regard to rights of way in Scotland is that societies have been formed for protecting these rights, and in many cases do mischief. This would be avoided if there was a properly-constituted authority for vindicating rights of way, and there would be also less risk of attempts to establish ill-founded claims. I think that the Amendment in the modified form suggested by the hon. Member for the Inverness Burghs would be valuable in itself, and I do not see that any objection could be taken to it.

*MR. ANGUS SUTHERLAND: I consider this a most important Amendment, and, speaking from my experience of those parts of the county with which I am most familiar, I say that unless some legislation of the kind proposed by the Amendment is adopted there will soon be no open roads in the Highlands at all. The Solicitor General for Scotland said that so far as he knew there was no disposition on the part of

proprietors to deny rights which were reasonable; but, Sir, I take it that an inherent right of way requires no provision as to its reasonable exercise. Of course, I have no sympathy with the remarks of the hon. Gentleman the Member for Ipswich (Sir C. Dalrymple) as to the evil effects of societies for the vindication of rights of way. If the Solicitor General for Scotland asks for an instance of how reasonably this right is exercised, I will give him an instance which will astonish him. I have in my mind a forest ranging about 100,000 square acres. On the margin of the forest there is an hotel, and whenever a traveller goes there he sees a placard to this effect—

"Lodgers in the hotel are warned not to trespass on the neighbouring deer forest for fear of disturbing the tenant's game."

There is really more liberty of public right in the suburbs of London than there is in the Highlands of Scotland, and that that should be so is in my opinion shameful. In view of all these circumstances the Government ought to accept this Amendment especially seeing that there is a strong precedent in the Act of last Session.

SIR A. ORR-EWING (Dumbarton): Some estates have been let to foreigners who unfortunately stopped botanizing and prevented people ascending hills to see the country; and in this way violence was done to the traditions that had prevailed, and questions of right of way arose.

MR. ASHER (Elgin, &c.): I hope the Government will re-consider their decision with regard to this matter. My hon. Friend (Sir A. Orr-Ewing) has not, I am afraid, so much acquaintance with the disputes as to the rights of way in Scotland as he has of most other Scotch departments of business, because he seems to divide all question of rights of way into two classes, those cases in which the landlord admits that there is a right of way, and those cases in which the public are attempting to commit an illegal trespass. Now, there is a third and important class, namely, those cases in which the public have no intention whatever of committing an illegal trespass, but propose to assert a right of way over land the owner of which disputes the right. It is proposed to vest in the County Council the vindication of the alleged right of the public in such circumstances as make it appear to the County Council proper that that course should be taken. In this matter there are two interests to consider, the interests of the public and the interests of the landlord, and I confess I cannot understand how it can be suggested that either interest will be in the least prejudiced by the adoption of this Amendment. It is quite true as my hon. and learned Friend opposite says that at the present time the public right may be vindicated in the name of any individual. But my experience has taught me that that is not a satisfactory mode of vindicating these rights. What takes place is this. The public claim a right. They attempt to assert it and the landlord disputes it. Then there is in the first instance something very nearly approaching a breach of the peace. There is a great deal of local excitement, the hat is sent round, and after a considerable disturbance an action is brought for a vindication of the right of way, probably in the name of some person possibly not very well qualified to vindicate the right, being perhaps a poor man. What is now proposed is that the County Council, a body elected to represent the people, should have the power to consider whether the claim put forward by the public is *primâ facie* a sound one, and so well founded that it is proper they should, at the expense of the county, take proceedings to vindicate for the public the alleged right of way. It appears to me that is a very reasonable proposal as far as the public is concerned, and I do not understand what objection the landlords can have to it. At the present moment there is no doubt a very strong feeling in many parts of Scotland that old rights of way are being blocked up. It is not the function of any particular person to vindicate those rights, and there is consequently the greatest risk that they should be lost through lapse of time. It seems to me that we should have in every county a body able to look after the matter, and I believe one result of having such a body would be that the constant turmoil which questions of this sort usually cause, would be altogether obviated.

MR. J. P. B. ROBERTSON: I should like to dispose of the suggestion that there is even the smallest reason for

saying that there is anything of this kind in the English Act. The only clause which at all bears on the question provides that the County Council shall have the same power as a Highway Board to remove obstructions from land which serves the purpose of a roadside waste. The Amendment means nothing more or less than that the County Council are to uphold all rights of way. I strongly deprecate the proposal to impose on the County Councils duties of this description. It would be a standing menace to farmers, and there would be constant litigation. The hon. Member for Inverness seemed to think that was a most cheerful prospect. I say it is a very doubtful thing to entrust a County Council with the duty of promoting litigation against private proprietors. The rates, of course, will have to bear the expense, and see what will be the result. Is there a more popular claim at any time than a claim of right of way? A man would be sure of election if he based his claim to popular support upon a declared intention of levying war on some private owner. I think the granting of this power would interfere with the smooth working of the County Councils, by introducing duties which are totally alien to them, and I must oppose the Amendment.

MR. BARCLAY: As showing the necessity for some provision of this kind, I may say that in my own county recently a very important highway was the subject of litigation. A gentleman wished to shut up an important highway through a deer forest, and he would have succeeded in doing so had it not been for the public spirited individuals who came forward to litigate the case. I think it would be well to put this power in the hands of the County Councils, because wealthy people owning deer forests are too fond of bullying individuals, and very few people are ready to enter into a litigation which, as in the case I have referred to, may be carried to the highest courts. If the Government, however, will consider the matter before Report, I think the Amendment might be withdrawn. But unless they give us some promise to confer a power of the kind on the County Councils it will be necessary to divide.

THE FIRST LORD OF THE TREASURY (Mr. W. H. SMITH, Strand, Westminster): I must appeal to hon. Members to come to a decision upon this clause.

MR. HUNTER: This is far too important a question to be disposed of in that cavalier way. It is a subject which interests the whole of the working classes of Scotland. One of my earliest recollections is of a most important right of public way in the vicinity of Aberdeen being stolen under our very noses, simply and solely because there was no public body in a position to defend the public rights. It is simply preposterous to suppose that any private person can be called upon to find the money necessary for a litigation of this kind. It is one of the most obvious truths that where the whole public enjoy the benefit of a right, the whole public ought to maintain and defend that right. In the establishment of the County Councils we have an admirable opportunity of appointing a public prosecutor for the protection of public rights. We know that in Scotland the landlords have to a degree far beyond what they have been able to do in England stolen the rights of the people to the land.

It being ten minutes to seven o'clock, the Chairman left the Chair to make his Report to the House.

Committee report Progress; to sit again on Monday next.

PALATINE COURT OF DURHAM BILL.

[LORDS]. (No. 283.)

As amended, considered.

Read the Third Time, and passed, with an Amendment.

TRAMWAYS (STREET AND ROAD).

Copy ordered, "of Return of Street and Road Tramways authorised by Parliament, showing the amount of Capital authorized, paid up, and expended; the length of Tramway authorized, and the length open for the public conveyance of passengers, down to the 30th day of June, 1889; the gross receipts, working expenditure, and net receipts; the number of passengers conveyed, and the number of miles run by cars during the year ended the 30th day of June, 1889; together with the number of horses, engines, and cars at that date (in continuation of Parliamentary Paper No. 347 of Session 1888."—(*Sir Michael Hicks Beach.*)

Return presented accordingly; to lie upon the Table, and to be printed. [No. 238.]

SELECTION (STANDING COMMITTEES).

Sir John Mowbray reported from the Committee of Selection: That they had discharged Sir Walter Barttelot from the Standing Committee on Trade (including Agriculture and Fishing), Shipping and Manufactures, and had appointed in substitution: Mr. Round.

Ordered, that the Report do lie upon the Table.

CHAIRMEN'S PANEL.

Sir John Mowbray reported from the Committee of Selection: That they had discharged Sir Henry Selwin-Ibbetson from the Chairmen's Panel, and had appointed in substitution: Sir Walter Barttelot.

Ordered, that the Report do lie upon the Table.

ORDERS OF THE DAY.

—o—

SUPPLY.

Order for Committee, read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

THE HOP INDUSTRY.

Mr. BROOKFIELD (Sussex, Rye): In introducing to the House the Motion of which I have given Notice, I am painfully conscious of one main difficulty under which I labour—namely, that it may be the opinion of many hon. Members that the hop industry is a matter of only limited importance and only local interest. But I shall endeavour to show that it is really, and in the fullest sense of the term, a national industry, the extinction of which would be no less than a national misfortune, the preservation of which is no more than a national duty. Hon. Members—and I venture to address myself more especially to those who do not represent agricultural constituencies (though I am bound to say I do not see many of them present) must have heard from time to time accounts of agricultural distress and depression, and I think that they must be aware that those accounts are at all events founded on fact, and in putting it that way I make a very moderate statement of the position of affairs, a position that I might describe in much warmer language. Now the reasons why representations as to this agricultural distress do not assume a more vigorous and perhaps more embarrassing form, are in the first place, perhaps, owing to the nature of the case, rural communities being scattered, and agriculturists, moreover, not being great adepts in the art of political agitation. This may partly explain why agriculturalists have been content to bear with so little murmuring a state of things which yet deserves the attention of the House of Commons and the country. But there is another reason, one with which this Motion is more directly concerned, and one which I believe to be highly creditable to the courage, ingenuity, and perseverance of the British farmer, and that is that when he has found by painful experience that the operation of growing corn, and afterwards selling it at 30s. or 35s. a quarter, is only a snare and a delusion, he has boldly turned his attention to other channels of agricultural enterprise, and, in the case of the hop, with results highly beneficial to himself. I lay stress on this phase of the question, because those gentlemen who are good enough from time to time to recommend remedies for agricultural depression are never tired of their stock suggestion that if one crop does not pay we should "try something else." In the subject I am bringing before the House it will be seen how farmers have tried "something else," and I hope the debate will enable the House to judge of the value of such experiments. The counties in which the hop is cultivated are, first and foremost, the county of Kent, which has the largest acreage under hop cultivation, and produces perhaps two-thirds of the entire cultivation of this country. Next to Kent comes Sussex, the county with which I have the honour to be connected, then the counties of Hereford, Hampshire, Worcester, and Surrey. Then to a very much smaller extent Shropshire, and five or six other counties. It will be seen from this that the cultivation is confined to a few counties only. Even they are not all especially adapted for raising this particular crop. Speaking for my own county with which I am more intimately acquainted, I would say that Sussex is particularly adapted by soil and situation for the cultivation of wheat. But notwithstanding this, the farmers of Sussex have for many years past turned

their attention to this alternative; they have given special attention to the cultivation of hops with results, until quite lately, highly remunerative to themselves and of almost incalculable advantage to the surrounding community. I use that phrase advisedly, and I would lay particular stress upon the diversity of interests that depend more or less on hop cultivation. I think the House might be surprised to learn how many interests stand or fall by the success or otherwise of this special industry. There are, of course, the planters themselves, with the largest interest, who have to invest a large capital, and with very considerable risk as to the crop. With the growers, the hop factors are closely connected, then come the hop merchants, country bankers, and a long list of other interests, wood merchants who have a very large interest in the industry, manure merchants, implement makers, ironmongers, twine and sacking merchants, and chemical manufacturers. I might trespass on the patience of the House by dealing with each of these interests, but I will confine myself to the terms of my Motion and call more especial attention to the effect of the industry upon agricultural labour. In no branch of agriculture with which I am acquainted in England, and so far as I know throughout the world, is the proportion of labour employed so large as in this exceptional crop. For 100 acres of pasture in this country it is not necessary to find employment for even one man; on 100 acres of arable land employment is found for only four men; but for the same acreage under hop cultivation employment is found all the year round for 35 or 40 labouring men. I venture to say, these are important facts to lay before the House. This employment does not cease with the work given to men on the spot. Work is provided for the wives and children of the men, and even the small children can contribute to the family earnings. Besides the regular work provided for the people on the spot, during the picking season, work is found for ten times the number of people who migrate from the East End of London, and elsewhere, to the hop districts with results highly beneficial to themselves, from a social, sanitary, and pecuniary point of view. An ordinary single labouring man employed on the spot by ordinary day work can earn from £30 to £40 a year. The same man with piece work, which is nearly always open to him, will earn from £40 to £50. An able-bodied man employed as a "dryer," as he is termed, can make up his earnings to £50 or £60, and probably more, and the dryers employed in "pocketting" or packing can earn £5 or £6 a year in addition. The wife and family can earn from £5 to £10 more, and a woman who can move about and is disposed to work can, I estimate, get from 12 to 16 weeks' work in the hop districts, and add this to the earnings of the family. These facts, of course, have an important effect on the earnings of the agricultural labouring classes. As to the earnings of the hop-pickers who migrate annually from the Metropolis, and elsewhere, they are paid in our county by the dozen—that is the dozen bushels—at fifteen pence and upwards according to circumstances. Under exceptional circumstances payment has risen as high as 6s. per dozen, but taking the average rate 2s. the dozen bushels is the payment, and at this rate a labouring man can earn 2s. 6d. a day at picking time. A woman with two or three children may be reckoned as two pickers, or with a larger family as four pickers. An average small family can usually earn 6s. a day at picking time, besides which they are provided with lodging and firing. I might dilate on this aspect of the question, upon which I have touched to show the importance of hop cultivation as a means of employing labour. I spoke just now of 100 acres, and I take that as a convenient unit of comparison. I take the specific case of a farm with which I am acquainted, growing exactly 100 acres of hops. On that farm 40 men are employed all the year round in attending to the hops, and no less than 450 are employed at picking time, with the earnings I have mentioned. If there is any hon. Member present who is what is called a philanthropist, and has turned his attention to the subject of the social and sanitary condition of the poor in the East End of London, he will admit the usefulness of these annual outings for hop-picking. They are looked forward to with as much zest by the poor as that

with which hon. Members look forward to their annual expedition to the moors of Scotland or elsewhere. And now I come to the second important branch of my subject, the extent to which this exceptionally profitable and labour-giving industry prevails in the country, and what is befalling it. If I were speaking like a counsel who held a brief in this case, I might make out a much more deplorable case than I am prepared to prove; but the only figures I will submit are those from the Agricultural Returns, though it is worthy of notice, in passing, that when these Returns were first compiled, and down to 1867, no Returns were published of hop gardens under five acres in extent; hence it is that some acreage is omitted which might otherwise raise the total acreage of cultivation to 75,000. But as regards the Agricultural Returns, and only to these do I draw attention, and taking the year 1885—not because it shows the highest return; a much larger acreage is shown in 1878—but taking 1885 as the period when the descending scale of acreage and prices, and the general misfortunes which have overtaken the industry commenced, I find that in that year there were 71,327 acres under cultivation, in the following year the acreage was 70,127, in 1887, 63,506, in 1888, 58,500; and this year it is estimated the crop will be little over 52,000 acres, or, to put myself quite within the mark, I will take it as 53,000 acres. Well, these figures are—to use a common expression—very significant, significant of a great deal of wasted capital and disappointed energy, and significant of a great deal of employment of which the working classes have been deprived. To be literal, I will attempt to calculate what the loss to the labouring classes is. In 1885, when there was 71,327 acres under hop cultivation, there must have been regular employment for 28,000 labouring men all the year round, and casual annual employment for 320,000 more. At the present time, with the cultivation fallen to 53,000 acres, there is regular employment for 21,200 men, and casual employment for a little over 230,000 men. In other words, 7,000 men in the villages in the hop-growing districts have been deprived of work, or have to avail themselves of whatever other means of employment the districts afford, and no less than 90,000 of the dwellers in town have been deprived of their annual migration, and the means of earning in a few weeks as much as ordinarily their class would earn in the same number of months. I think I may claim to have described a serious condition of affairs, and to have established my point, that the steady decline which has taken place in the non-cultivation means serious displacement of labour, and is a matter of national concern. Now, the next point I have to discuss is far more difficult, the causes that have led to the decrease of cultivation. Of course there are natural causes which we recognise in every agricultural industry; blight, which may affect the crop at a moment's notice, and bring loss and sometimes ruin to the capitalist, though even this danger has been mitigated by the practice of washing, sulphuring, and other mechanical means. But I need not discuss these natural causes, what I have to represent to the House are the causes with which we believe legislation may deal. The primary cause of this steady fall in cultivation and consequent displacement of labour is to be found in the fact that prices have become unremunerative and the conditions of carrying on the industry too onerous and one-sided. Well, as to prices, we certainly can tell a most melancholy tale, and though I do not deny that many other industries can do the same, I doubt whether many of them could show such a persistent and steady fall in profits as the hop-growing industry can report. I take the year which may represent the real piping time for successful hop-growers—1882—when the price of Kentish hops was no less than 345s. a cwt., and Sussex hops were at the same time 305s. a cwt.; the next year Kents' had fallen to 124s., and Sussex to 110s.; in 1884 Kents were 115s., and Sussex 101s. Then we have to take into consideration the price of foreign hops in the same period. In the year first mentioned—1882—foreign hops were 294s. a cwt.—that is considerably cheaper than the English hops. In 1883, they were 120s.; in 1884, 100s. Then came the most serious drop in prices. It is notorious that, below a certain point, the price is unremunerative; they are simply pro-

duced at a loss; there is nothing to compensate for this. Hon. Members having special knowledge of different parts of the country may form a somewhat different estimate; but my calculation is that anything below £3 cwt. is unremunerative. Well, in 1885, Kent hops sank from 115s. in the previous year to 56s., and Sussex hops from 101s. to 41s. In the following year (1886) Kents fell to 44s., and Sussex to 33s.; and, in the same years, foreign hops were 50s. and 30s. The next two years—1887 and 1888—have certainly shown a slight improvement in prices; but side by side with that is the very significant fact that the acreage has diminished to the large extent I have mentioned, from 71,000 odd to 53,000, and the importation of foreign hops which, since 1882, from 319,620 cwts. had fallen to 145,122 cwts. in 1887. Again I do not think it is a matter for congratulation when prices are slightly improved if there is no prospect of this improvement continuing, and the increased prices of foreign imports are at the expense of our own cultivation. In former times, when the acreage in Kent and Sussex, Worcester and Hereford diminished, those growers who had capital and resources at all events reaped some benefit for themselves, but now, when there is less cultivation in England there is more cultivation abroad in countries which, for all practical purposes, are as near our doors as the two counties with which I have been principally dealing. There is much more which might be said on the subject of foreign imports, but I ask hon. Members to note that I do not wish to exaggerate and lay too much stress on that particular evil. I have my own opinion on the subject with which I need not trouble the House unnecessarily. Now, it is not only the danger and the loss to us that foreign hops cause by their presence in the market, from which our growers suffer. They also suffer largely from the knowledge that at any moment these hops can be poured in any quantity into the market. Formerly, when we had a great glut of English hops in the market, a grower was able to hold them until the next year, when the scarcity for which he devoutly prayed from his point of view might come, and then he realized his price as people do in other speculations. But speculation of that kind is completely paralyzed, because the holder of hops knows that when the scarcity for which in his commercial spirit he is hoping comes, it will at once be met by the market being flooded with foreign hops. On this subject, that is if I consulted my own feelings, I should certainly like to make some observations which it would be more for the good of the hop industry and of my present purpose if I did not make. I have long held the opinion that the unrestricted importation of foreign articles into our markets is not an universal benefit, and I would even go the length of saying it is a great evil. I am not so impractical as to ask the Government and the House of Commons to adopt, at a moment's notice, what may be called my extreme views, which, however, I am prepared to justify when the proper time comes. I would only observe that the objections which ordinarily exist as to the imposition of duties on imported articles do not apply to the case of hops. What is the spirit of Free Trade—the spirit which I hope we shall observe in this discussion? I believe the spirit of Free Trade to be that you should not on any account seek to benefit the producer at the expense of the poor consumer. That is a very plausible maxim, and is found especially applicable at election times. But let me ask, who is the poor consumer in the case of hops? He is the poor man who drinks a glass of beer. Does he ever pay one farthing more for his beer when the price of hops is raised? or does he ever pay a farthing less when the price of hops is lowered? Why, Sir, the price of hops has risen as high as £30 per cwt. and has gone as low as 21s., and yet the price of the poor man's glass of beer has never varied a single fraction. The case we are arguing is not like that of wheat, or bread, as to which it might be said the consumer would be called on to pay a higher price because of the duty imposed, even if at the same time he was deriving advantage from it. In this case we are able to say that supposing the House of Commons were wise enough to impose an import duty on hops, that duty would not make a fraction of a farthing's difference in the price of the beer consumed, while, on the other hand, it would be the means of giving

extra employment by putting into cultivation extensive fields, which are now going to waste, and upon which an exceptionally large amount of agricultural labour might be usefully engaged. It will, I think, be seen that this argument is, at all events, a strong one, and that a good deal is to be said in justification of it. Now the history of Hop Duties is an instructive one, and leads us into another branch of the subject. The old system was to impose duties on foreign hops, simultaneously with an Excise Duty on English hops. The Customs Duties on foreign hops was, with some variations, about 45s. per cwt., and upon native hops, also with some variations, about 20s. per cwt., or 19s. 16-20ths. That was for the usual purposes of Imperial taxation. The hop growers naturally wanted to get rid of the Excise Duty, just as in recent years theyhave been wanting to get rid of the extraordinary tithe. This, of course, is only human nature. They wished to pay as little and get as much as possible, and they got up an agitation for the purpose of getting rid of the Excise Duty, an agitation which had the effect of floating some hon. Members to their seats in this House. But, Sir, the farmers and hop growers got a great deal more than they bargained for, because when the Excise Duty of 20s. was taken off—and I am aware of the operation which took place in the interim, by which the duties were equalized—the Customs Duty of 45s. was also taken off foreign hops. That inflicted a very serious blow on the farmers of this country. A Select Committee was appointed and sat to consider the subject as far back as 1857, and I should not refer to such a remote authority as that, were it not for the very remarkable prophecy they made which events, as they have happened, have proved to have been true. That Committee, which was called a "Select Committee to inquire into the operation of the excise and Customs Duties on hops," had for its chairman Lord Monk Bretton, who was then Mr. Dodson, sitting in this House as Member for East Sussex, and amongst other Member of the Committee were Mr. Bass, the celebrated brewer, Sir Edmund Dering, Mr. Wykeham Martin, and others, the majority of them being decided free-traders, and I would remind the House that this was some time after the repeal of the Corn Laws, and a general change of fiscal policy. That Committee, in the Report they presented, made two very remarkable statements. One statement was that in their opinion "it was impossible to look on the equalisation or repeal of the Customs' Duty on hops as a question of free trade." The other statement was, "That if the Customs and Excise Duties were equalized and abolished, the consequences must before long be fatal to the cultivation of hops in England." Well, the duties were equalized, temporarily, and then were finally abolished, and I believe that this latter step, among others, is leading to and will eventually result in the final collapse of the cultivation of hops in this country. Therefore, Sir, I think we have some justification for arguing that this matter might be looked on by Her Majesty's Government with a more lenient eye, than as a mere proposal for an import duty on foreign hops. We believe that the proposal for an Import Duty, accompanied by something in the nature of an Excise Duty, would be perfectly in consonance with the policy which has been recently pursued.

THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN, St. George's, Hanover Square): In what proportion?

*MR. BROOKFIELD: Well, Sir, I shall leave details of that description to my right hon. Friend the Chancellor of the Exchequer. If I had to arrange them myself I should make the Excise Duty as small as possible, and, if possible, would dispense with it altogether, while I would make the Customs Duty as large as I could. I look, however, on that matter as a detail of finance which a responsible Government is better capable of deciding than I. Well, Sir, it has been the custom to make beer, for some purpose or upon some high moral principle, the victim of all sorts of experiments in revenue taxation. When the Hop Duty was said to be repealed, it was not altogether taken off, because it was added on to the duty on malt. Then the agricultural Members interested in the removal of this burden agitated for the repeal of the Malt Tax, and after a great deal of trouble, succeeded amid great jubilation, in getting that duty

taken off; but at the present moment the duty so removed is included in the Beer Duty, which now embraces both the old Malt Tax and the old Hop Duty. Surely a fit subject for inquiry would be the possibility of the readjustment of these duties so as to bring them more into harmony with the wants and desires of the English hop-growers. In hop-growing circles an impression prevails that this view has not been entirely scouted by the Government. The right hon. Gentleman the Chancellor of the Exchequer has been credited with maintaining a benevolent attitude in this matter, but I am bound to say of my right hon. Friend that I have his own authority for stating that this is not really the case, but that his attitude on the subject has been misunderstood. But at least we may refer to certain words that were uttered by the Prime Minister on the occasion of our bringing the matter before him in May, 1888, when the noble Marquess said—

"I should not be representing to you fairly my own impressions as to the balance of opinion, or as to the state of things in the constituencies, in the community, and in the House of Commons, if I represented any hope that a duty on foreign hops, unaccompanied by a duty on native hops, was likely to be adopted in Parliament."

Now, words used on occasions of that sort are generally well weighed. Their import is widely scanned, and the natural interpretation of this language would be that if a duty on foreign hops were accompanied by a duty on native hops, it would have a better chance of receiving the sanction of Parliament. At all events, it was so interpreted by those who heard the words uttered. But I am anxious to leave this thorny part of the subject, and to refer to other matters, as to which I desire that there should be an inquiry or investigation on the part of the House. Now, there are various disadvantages to which we find ourselves exposed in comparison with foreign nations which have nothing to do with the fiscal policy of this country. Let us take the case of branding, as it is observed at the present time. Every English hop-planter who produces and sells hops is obliged to brand upon his goods the name of the parish and county in which the hops have been grown. Like all hard-and-fast rules, this is fraught with occasional disadvantages and hardships. For example, I know of a case in which a hop-grower, whose farm is on the borders of two counties, has his hop-gardens intersected by the "Kent Ditch." The result is that he derives as much as a pound per cwt. less from the hops grown on one side of the ditch than he receives for those grown on the other side; but, of course, it might be put the other way—namely, that he derives a pound more from the hops on one side than from those grown on the other, and this is a law of which we do not complain. But contrast the law with regard to the English hop-growers with the law as it affects the foreign hop-grower. I suppose the effect of the Merchandise Act is that the foreign grower must state that the hops he sends here are of foreign growth, but that is a very broad kind of announcement, and as a matter of fact it does not prevent the foreigner from practising many frauds; marking—for example—inferior altmarks as Hallertans or Wohnzuchs. The "Spalt" hops are specially distinguished, but unfortunately these are of really high quality. As it is, I have known of a German merchant pointing to some bales of hops which were awaiting exportation, and saying, when asked what they were, that he had not yet decided what to label them. Foreign growers, and the Jews who go about collecting their samples, do not find it profitable to label their goods truly, but they find it more profitable to give their bales of hops the designation which will best suit the condition of the market at the time. Then there is the system of returning hops. I refer to foreign hops which are kept in this country for some time, and after they have kept down prices and checked speculation, are returned to their own country. The right hon. Gentleman is aware that some of the tariffs on the exportation of English hops are almost prohibitive. In the case of France the duty is 5s. 6d.; of Germany and Austria 10s. 2d.; and in the United States, to which we export British hops, because there is a demand there for the stronger kind of ales, the Import Duty is 37s. 4d. per cwt. I think it unreasonable that American hops should lie in our warehouses, and go back in the same ships with the

English hops and be admitted free, while ours are subjected to this almost prohibitive duty of 37s. 4d. I do not think it is reasonable that foreign hops, after doing mischief in this country, should be permitted to leave our shores without contributing their share to the various expenses which we have to contribute. The question of railway rates perhaps I should not touch upon, as an Act has lately been passed from which it is hoped that home-growers will derive some benefit in company with other trades. But I am bound to say that there is a deeply-rooted suspicion among hop-planters that preferential rates exist at the present moment as much as ever. A hop-factor the other day told me that he knew of hops coming from Burgundy to this country by through rate of which the proportion paid from Dover to London was so small that it was obvious that there was a preference in favour of the foreigner. I hope, if that is the case, the law will be so amended as to do away with a great injustice. The hop growers again used to suffer great loss by the method of classification. Hops came under the heading "all other things." But if they are to be specially classified, no doubt considerable relief will be experienced. The national beverage, as we call beer, is supposed to be brewed from malt and hops. Of course, if this House of Commons was composed of hop-growers, we should not be long in requiring the brewers to use as many hops as possible. In former years there was a law on the Statute Book that only hops should be used, and the Committee of 1857 gave a list of various prosecutions of brewers who did not use hops. It is the law at the present moment in the United States that brewers shall be required to use malt and hops only. But, Sir, I venture to suggest an inquiry into a less drastic improvement, and one thoroughly in accordance with the spirit of legislation in the present day. I do not object to the brewer putting into his beer anything he chooses — tannin, quassia, or gypsum, or any other of those ingredients which, to some people, may be very palatable—but I should insist on his specifying in a legible manner the composition of his barrel of beer. That is done with respect to other commodities, as it is, to which labels have to be affixed. Some brewers have already anticipated legislation of this kind. Messrs. Leney, of the Phœnix Brewery, Dover, label their barrels with a guarantee that the beer they contain is brewed from malt and hops only. But I know of a case in Norwich where a brewer stated that he did not care a rap about the prices of hops, and that he never used them unless they were very cheap, but generally used tannin. He has a perfect right to do so, but it is only reasonable that he should be made to state what he uses. It is notorious that infinitely less hops are used now than formerly. There is a process known in the trade as "hopping down." This consists of collecting the hops left at the bottom of the barrel, and getting a drawback from the brewer for the space they occupied. In a 64-gallon barrel the publican has received as many as four and five gallons for collected hops. Now, he could hold in his two hands all the hops he could collect. Let brewers be compelled to state what they use; and I believe there is such a wholesome prejudice in favour of the old-fashioned ingredients of malt and hops, that a restriction of this kind would have a very beneficial effect on the hop-growing industry. There is another subject, that of extraordinary tithes. The Act was passed in panic, and I believe the agitation in favour of it was to a great extent disingenuous. As to the poor clergyman, a charge which was only incidental is now permanent and invariable. The tenants have derived some benefit, though landlords evade in some cases the responsibility imposed on them by the Act of 1886. I suppose it would be unpopular to say much on his behalf. He has had the pleasure and privilege of finding the difference by which the tenant has been mainly benefitted. We who represent this special industry have used what Constitutional means we could to draw attention to our grievances, including the presentation of Petitions, which we know are placed in that receptacle behind the Chair, and are forgotten. Two or three years ago we presented a great number of Petitions from the hop-growing districts. These

Petitions were eagerly signed, and those who signed perfectly understood what they were signing, which cannot be said of every Petition sent to this House. I suppose we presented about 100 Petitions from Kent and Sussex. I leave others to speak of other counties, which I have refrained from mentioning. But the Petitions have had no more effect than we expected them to have. We had recourse to deputations. I will say upon that subject, that the Prime Minister, who received two deputations, one in March, 1887, and the other in November, 1888—two deputations remarkable for their influential character, large numbers, and unanimous representations—used these words which conveyed hope to us, though nothing has been done:—

"Certainly the important statements you have laid before me deal with what was one of the most flourishing industries in the country, an industry which we can singularly ill afford to lose. It has been well pointed out that this industry has the more claims upon the goodwill and consideration of all who are in a position to benefit it, that the displacement of it inflicts a more serious injury on the labour market than that of any other industry you can mention."

Well, Sir, after that, though nothing was done, we certainly did get some indirect encouragement from the First Lord of the Treasury; who, in reply to an oft-repeated request that he would grant a Select Committee, said that, in the opinion of the Government, it would be impossible to grant such a Committee until a case could be stated on a Motion made in the ordinary course on a Tuesday or a Friday. And, almost immediately afterwards, by what must have been the direct interposition of Providence, I secured a Friday for the purpose. I think I have stated a case. I have endeavoured to do so clearly and temperately; and I do earnestly trust that the hop industry will receive, if not all the attention that we think it deserves, at all events the moderate favour which we ask the House to concede. I beg to move my Motion.

SIR E. LECHMERE (Worcestershire, Bewdley): I beg to second the Motion; but after the very able and ample manner in which my hon. Friend has introduced the subject I do not think it necessary to add much, especially as I see around me many hon. Members who are interested in the matter. It is not our object to urge the protection of the landlords, or of the farmers—we wish simply to urge on the Government that a fair opportunity should be given to the House and the country to learn the great importance of the national industry of hop-growing, to realize that it is at present in a very serious condition, and to take counsel as to the manner in which the falling off in production can be remedied. One of the most serious results of the decay of the industry has been the very considerable reduction of the acreage under cultivation. My hon. Friend has given the House figures showing that in four years there has been a diminution of the acreage under cultivation of no less than 18,000 acres. It has been clearly proved, over and over again, that to cultivate an acre of hops no less than £40 is required, and out of that at least 75 per cent is laid out on manual labour. It may easily be supposed what the result must be to the labourers of the country when 18,000 acres are taken out of cultivation in so short a period. There is no doubt that the decay which has taken place in the hop industry is, to a great extent, the result of the competition of the foreigner with the English hop-grower. There is no doubt whatever that the fiscal arrangements of this country, by which our markets are opened to all the world without any reciprocity, are more injurious to the hop industry than anything else which can be conceived. As a proof that the foreigner does not reciprocate our open-handed liberality I may state that a duty equal to £37 for every ton of hops is imposed. In 1885 we had a very bad crop of hops, and a very large quantity of foreign hops were imported into this country, rendering our own hops practically unsaleable. In 1886 we had a good year for hops, and the foreigners had a bad year; but the foreigners purchased their own hops and took them back into America, instead of taking ours. Their own hops were, of course, free, whilst ours had to pay a duty. As regards the imposition of a duty, that subject has been lightly touched upon; and my own opinion is that if a duty were imposed on foreign hops English growers would be perfectly willing—at any rate, I believe they would

be willing in the part of the country I represent—to pay an acreage duty. In some parts of England this has been a moot question, and I believe that one of the objects of the proposed Committee should be to ascertain to what extent the feeling on the subject prevailed. I believe the hop-growers would rather submit to an acreage duty than allow that great industry to still further decay. It is, no doubt, a fact that no branch of agriculture gives so general an employment to the labourers of this country as the hop industry. It was mentioned by the hon. Member for the Medway Division (Mr. J. S. Gathorne Hardy), when a deputation waited upon the Prime Minister in 1888, that within his knowledge no less than 30 or 40 cottages in a prosperous village with which he was acquainted had become vacant in consequence of the serious change that had taken place in this industry. If the existing state of things is to last, very grave injury must ensue, not only to the moral and social condition of the people, but, I believe, in great measure, to the interests of the farmers.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "this House, viewing with concern the steady decrease in the acreage of land under Hop cultivation, and the serious displacement of labour occasioned thereby, is of opinion that a Select Committee should be appointed to inquire into the causes which have produced this state of things, and to report as to the best means of providing a remedy,"—(*Mr. Brookfield,*)—

instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

MR. H. T. KNATCHBULL-HUGESSEN (Kent, Faversham): As I represent a constituency very largely interested in the hop industry, I should not like to give a silent vote upon the present occasion. I think the hop-growing interests generally ought to be grateful to my hon. Friend (Mr. Brookfield) for the labour he has expended on this question. I myself feel absolutely certain that if something be not done in the direction of aiding the hop-growing industry, it will be absolutely crippled, if not entirely ruined. I wish to call attention to what I think is hardly realized by the House and the country—namely, what the ruin of such an industry as this really means. It means the ruin not only of the hop-growers, but of thousands whose daily bread depends on the success of the industry. If a hop garden is closed it means a cessation of employment for the whole of the neighbouring villages, as well as to some extent in the nearest towns. This employment is not, like many others, one that only exists for a certain period of the year, but it lasts for nearly the whole of the year, winter not excepted. In the winter the men are employed in digging the ground, or cutting the poles, and women and children shave the poles for use in the spring. In the spring there is employment in cutting the hops and laddering them, and there are many things to do throughout the year. The position of the hop-grower is as difficult and dangerous a one as exists in any department of agriculture. His is the most difficult and uncertain of crops, and it is one that is never safe from the first moment that the spade or plough is put in the hop garden until the hops are sold in the market. The hops are exposed to the ravages of insects, which appear to me to get worse year by year. A rhyme that is familiar to all Sussex men accurately expresses the facts of the case. We say—

"First the flea and then the fly,
Then the lice and then they die."

I have always felt very much that in agriculture there is an extraordinary tendency in everyone without practical experience to give us farmers who have spent our lives on the land advice as to what we have to do. They think they will help us by calling old things by new names. They do not even call fleas by the old name, but they call them aphidæ. A scientific man, visiting a farmer not long ago, asked him—"Have you any aphidæ in the hops?" and the man replied—"Well, Sir, I don't know, but there are an extraordinary amount of fleas." I cannot help thinking that if this Committee be granted, one of the things it will recommend will be a return to the old methods of cultivation. There is an old maxim which says—"Cut early, pick late, manure well, and cultivate." The reason why hops should be

picked late is that they should be allowed to get to maturity before they are picked. I firmly believe that the reason why we cannot pick late now is due to the use of expensive manures, which necessitate picking the moment the hop gets a bit bright. I believe that if we were to return to the good, old-fashioned plan of cultivation, we should get better hops and better prices, and be able to compete better with the foreigners. The difficulties of the hop-grower are not at an end when he has successfully surmounted those I have named to the House. When he gets to market his difficulties only then begin. Amongst the factor, and the merchant, and the foreign grower, and perhaps the brewer, he is in a very unenviable position. Just imagine the poor fellow making his one visit a year to London. He meets a factor or a merchant, and does not know whether he is on his head or his heels, and he accepts exactly what is given to him. We want some means of bringing the farmer into immediate communication with the brewer. Why the middleman should exist in the hop industry I do not know. Now, Sir, we do not indicate to the Government any particular measure of relief. We are not now asking for a duty upon hops, or for any particular remedy; but we do ask that there should be a complete and impartial inquiry into the question, in the hope that the result may be something which will avert the ruin which, unless something is done, appears to be almost inevitable. I would like to appeal to my hon. Friends on both sides of the House. I believe that some of the hon. Members opposite, if they were in their usual places, would not be on that side of the House at all. I would not only appeal to agricultural Members of this House, but to Members representing mercantile and mining constituencies. I would remind Representatives of mining constituencies that we agricultural Members, who know, I suppose, as much about mines as they know about hop gardens, have been ready to help them with the measures they deem necessary fer the mining and working classes. I hope they, in return, will assist us now. And I would make an appeal to the Metropolitan Members from the East End, to lend a hand to preserve an industry which not only provides opportunities for enjoying fresh air to many of their poorer constituents, but also the means of subsistence for the families of these people during the winter. And, lastly, I would appeal to the Government not to turn a deaf ear to our representations. I believe some hon. Members are afraid of giving us the inquiry we ask for, as it might lead to a recommendation that an import duty should be levied on foreign hops. But I do not ask for such a duty. I only ask that the subject should be inquired into, though, at the same time, I say do not refrain from doing an act of justice because it might lead to such a recommendation.

*MR. NORTON (Kent, Tunbridge): I ask to be allowed to say a few words on this subject as representing a division in which, perhaps, a larger quantity of hops are grown than in any other in Kent. The hon. Gentleman who introduced the subject has gone deeply into the general question of the depression of the hop industry; but I should like to supplement what he has said by mentioning that a considerable number of labourers and their families (in one parish near my own, as many as from 25 to 30) have been obliged to emigrate, in consequence of the large reduction in the acreage of hops. There is no doubt that this depression has arisen from several causes—amongst others, over-production at home and abroad, the fraudulent marking of foreign hops, and the use of hop substitutes. It has been often alleged that we have suffered in consequence of some brewers resorting to other materials than hops for bittering their beer—and I myself, in introducing a deputation to the Chancellor of the Exchequer last year on this question, produced some very startling facts. I pointed out that in the year 1883, when the hops were visited with a black blight, the price of quassia went up from £5 to £40 a ton, camomile and other bitters similarly advanced in price (in some instances 300 per cent.) in the month of October of that year. The large brewers, I am told, have set their faces against the use of hop substitutes; but if it is the fact that when hops are dear these substitutes are used by the small brewers that is sufficient to account for the fall in the price of hops. I think that one remedy for the depression in

the hop industry would be to require the Excise officers, when testing beer for water, to declare whether the beer is bittered with hops or other bitters. We are in a position now to supply a test that is absolutely reliable—the President of the College of Public Analysts having undertaken to test any number of samples of beer submitted to him, and to declare positively whether they are bittered with hops or not.

Notice taken, that 40 Members were not present; House counted, and 40 Members being found present,

MR. NORTON: I was endeavouring to indicate a method by which I think Her Majesty's Government might help us. The application of the test I recommend would have an excellent effect, as it would result in "showing up" the brewers who use hop substitutes to the public. The subject of the marking of foreign hops has been alluded to. I have taken a great deal of interest in this question, because of the representations I have had made to me by those who are concerned in the hop industry. I was informed that in the year 1883 old hops were actually taken from the beds and pillows of German cottagers, and sent over to England and sold at high prices. While the English grower is under a heavy penalty if he fails to mark the parish and the year of growth on his pockets, the foreign producer may send his in unmarked. I wish most cordially to support the Resolution of my hon. Friend, and I hope the Government will grant the inquiry asked for.

MR. W. J. BEADEL (Essex, Chelmsford): I think it is a noteworthy fact that there are only four Members on the Benches opposite, and that shows that, so far as anything connected with agriculture is concerned, the Opposition are absolutely and positively indifferent. Now, I feel, some difficulty in supporting the Amendment of my hon. Friend, and for this reason—that quite recently the House has discussed the appointment of a Minister for Agriculture, and if we should have such a Minister it appears to me that if his opinion should be sought in any questions it would be questions relating to the hop and the wheat industries. One or two of the hon. Members who have spoken have hesitatingly suggested that the success of the industry is affected by foreign competition, and that for the welfare of the country and of agricultural landowners, tenants, and labourers, some amount of protection is necessary. I hold a like opinion. I say the sooner the Government give us that protection the better it will be for all of us. I am not afraid to propound those doctrines, if my hon. Friends are. But I think my hon. Friend would do well to wait until a Minister of Agriculture has been appointed, and take an early opportunity of placing his views before him. Of course, I should be gratified beyond measure to hear the right hon. Gentleman the Chancellor of the Exchequer say he realized the fact that the agricultural industry had been severely tried, and will do his utmost to try and find a remedy for the distress which prevails in every portion of it.

MR. H. CHAPLIN (Lincolnshire, Sleaford): I do not altogether disagree with the hon. Member who last spoke when he urges the hon. and gallant Member to postpone the demand for an inquiry which he is now making. Those who are interested in the hop industry are to be congratulated on the clear, able, and effective exposition which has been given of their views to-night. But it would be an entire mistake for anyone to suppose that in the appointment of a Minister of Agriculture is to be found any specific remedy for the agricultural depression throughout the country. Undoubtedly, it is desirable such a Minister should be appointed; but no one should be induced to believe that the creation of an Agricultural Department is likely to be a specific for that depression from which agriculture has suffered for so many years. Now, Sir, the hon. and gallant Member spoke with great knowledge on the subject on which he addressed the House—with a knowledge which, perhaps, few hon. Members possess in the same degree. We are all aware, I think, of the great importance of the hop industry; and, for my own part, I confess I should regard anything like the probable extinction of the hop industry as lamentable in the last degree. The vast amount of labour employed in hop-growing, the remarkable decline since 1885 in the acreage under

cultivation, and the equally remarkable decline in prices since 1883, have all been made abundantly clear. Nothing appears to me to be more remarkable in the hon. Member's speech than the statement as to the amount of labour employed per acre in the cultivation of hops; and that being so, we may appreciate the indifference shown on the subject by hon. Members who usually occupy the Benches opposite. When complaint is made of the difficulty of pursuing agriculture with success, hon. Gentlemen who usually sit opposite are fond of recommending that something else should be tried. They have advocated a large extension of the system of small holdings, on the ground that by that means many more people would be employed on the land. I, for one, should be very glad indeed if it were possible to have a large extension of small holdings, but whether it would answer all the expectations of hon. Members opposite is at least an arguable matter; but it is beyond all dispute that in hop cultivation the labour employed per acre is quite remarkable, and I suppose that no other expedient could be resorted to which would give so much employment on the land of this country. It is noticeable, therefore, that so few of the hon. Members belonging to the Opposition are present, and that their only contribution to the evening's proceedings has been a most uncalled-for attempt to count the House. It would be a source of great satisfaction to those interested in agriculture if the Government could see their way to granting the request for a Committee of Inquiry.

*MR. GOSCHEN: An hon. Member sitting behind me stated that he and those who were acting with him in this matter had been practically challenged by the First Lord of the Treasury to make out a case for an inquiry, and had been promised that if they did that the Government would grant the demand for one. Now, Sir, it is my duty to examine the speeches which have been made, and to see to what extent a case has been made out. A suggestion has been made that the Government perhaps does not realize the importance of this industry, but I assure the House that no one could more entirely realize the importance of the hop industry from many points of view than the Government; and though there are certain matters connected with it on which, through lack of personal knowledge, I should hesitate to speak, yet it does so happen that, living myself in a hop county, I am generally familiar with the course of prices and the production of hops, and no one could live in such a county without knowing what extensive employment the industry provides. In my neighbourhood there is hardly a family which is not in some way interested in the cultivation of hops. I do not absolutely accept as correct the estimate given of the amount spent in the cultivation of hops. Hon. Members put it at £40 per acre. I should rather put it at £30 or £35. But, at any rate, the figure is large; and there is no doubt that the industry is a healthy and wholesome one, and that it touches many interests—such, for instance, as the growth of underwood. My hon. and gallant Friend also referred to the interest of the hop factors and merchants in the Borough. I think they, at any rate, may well be left to take care of themselves, for I have not learned that the extraordinary cheapness of hops has materially affected their profits. It is true, however, that hop cultivation is a large and important interest, and the Government have every sympathy with it; but I am not sure that my hon. Friend has strengthened his case by pointing out the precarious nature of investments in hop cultivation. I think the arguments he puts forward on that point may be pushed too far. No doubt the industry is of an extremely risky character; but I doubt, if taken over a long average of years, it is so risky as some hon. Members have suggested in their anxiety to prove that something ought to be done. There have been violent fluctuations in the prices of hops. Various Members have assigned different causes for the depression during the last six or seven years. I am inclined to refer it to what took place in the year 1882, when hops went up to an extraordinary price—£22 per cwt. being in some cases obtainable. The hon. Member put the price in that year at £15, and then showed how in the following year it fell to a very much lower figure. But he did not inform the House that 1882 was a year in which the average yield was not more than two

or three cwt. per acre, and even supposing the hops were sold at £20 per cwt. the return would be only £40 per acre, or the exact cost of cultivation. These extraordinary high prices in 1882 were therefore due to the smallness of the yield. What was the result? Why, in Germany, California, Australia, and many other countries there was an enormous increase of cultivation during the next few years, and over-production led to the usual result—a fall in prices. These high prices in 1882 had another result. They led the brewers to endeavour, as far as they could, to avoid the use of hops by having recourse to substitutes, some of which turned out to be very satisfactory, and proved to be more economical than hops, even when the prices of hops considerably fell. This, indeed, is a very instructive instance of how nature revolts against excessive prices, and finds some substitute to avoid them. I am not sure whether we are not still suffering from over-production, although I doubt very much whether the prices which have prevailed during the last two years have been such as to enable foreigners to continue the competition. My hon. Friend in quoting the figures said the prices fell by more than half between 1882 and 1883. But if he will look at the prices which ruled in 1879, 1880, and 1881, he will find that they were about the same as in 1883 and 1884, and since then prices have been much higher.

*Mr. BROOKFIELD: I acknowledged that in the years 1887 and 1888 there was an improvement in prices, but I endeavoured to account for it by pointing out that the importation of foreign hops diminished in those years, while there had also been a diminution in our own acreage.

*Mr. GOSCHEN: Yes, we have begun again to hold our own, and evidently the case of the hop-growers is not so hopeless as some hon. Members seem to think. While, however, I, on the one hand, deprecate any panic, I desire, on the other, to be perfectly explicit in what I say with regard to some of the proposals that have been made. It would be cruel kindness to hold out any hope that Parliament can give the hop-growers any assistance by legislation which would impose an import duty or a differential duty on foreign hops. I cannot give any encouragement to such an idea as that, for I do not think that the time will ever come when this House will consent to any legislation of that kind. The hon. Member deprecated the suggestion that he was proposing anything in the way of protection; but there was an undercurrent of protection running through a great portion of his speech. The effect of any such legislation would ultimately have to be borne by the general public, for the brewers would indemnify themselves by brewing lighter beer. So long as we hold to the doctrine that no restraint should be placed on the importation of food for the people we cannot make an exception in the case of hops any more than in the case of corn. The hon. Member says that, if this House were composed of Members who were hop-growers, they would certainly impose either import or differential duties. But this House is mainly composed of the representatives of the consumers of beer, and not of hop-growers, and such a proposal would not commend itself to this House nor to the country generally. Even the producers of barley might have something to say on the question; and I must point out to my hon. and gallant Friend that if a Committee is granted it would be unwise for the hop-growers to infer that there was any possibility of a duty being placed on foreign hops. I think it far better to be explicit on this point and not to raise hopes which may not be fulfilled. Then, said the hon. and gallant Member, there was a time when a duty of 40s. was charged on foreign hops, while only 20s. was charged by the Excise on English hops; and he told us that the repeal of this duty was a fatal step. But does he wish us to revert to the system of differential duties? When I put that question to him he was good enough to say, he left that to be decided by Her Majesty's Government. I do not think that a proposal to put a higher duty on foreign hops would commend itself to the country, and I would not advise any of my friends in the hop-growing districts to rely on that being done. In regard to railways, it is no doubt the

intention of Parliament that there should be no preference given to foreign over English hops. If there remains any kind of preference or privilege, I hope the matter will be brought by the hop-growers and the leading persons in the trade to the attention of the Commissioners, who are bound to rectify any grievances which exist, and to see that the remedy is applied that Parliament intended. Parliament distinctly contemplated that no such privilege should be given. With regard to the system of middlemen, I do not see how any remedy can possibly be applied by Parliament. I know how grievously the system is supposed to operate upon a great many of the growers of hops, but this is a matter which the hop industry has in its own hands. I doubt whether the interposition of Parliament could be effectual in a matter of this kind, although, by means of a Committee, some light might be thrown on the matter by indicating means of which the members of the industry could avail themselves. I now come to the question of branding. English hop-growers are bound to brand their hop-pockets according to the district from which they come; and the hon. Member instanced a case of a friend whose property was divided by a bridge, and who got 10s. a pocket more for the hops grown on the one side than for those grown on the other. I do not know whether my hon. Friend alluded to myself, but that is precisely my case. Through the recent change in the boundaries, they have put the greater portion of my hops into Sussex, depriving me thereby of 10s. a pocket, although the hops are precisely the same as those grown in the Kentish part of the garden. Well, if the obligation to brand hops be imposed upon the English growers, it is a perfectly fair subject for consideration whether foreign hop-growers should not equally be compelled to give the place of the origin of their hops. As to whether we should be enabled to exact penalties and to control the matter in the same way as in England I will not give an opinion. Then there comes a further point to which my hon. Friends attach considerable importance. They maintain that the national beverage should be composed of malt and hops. Well, are we to legislate so that the consumer of every article is to be informed specifically of the materials of which the article he consumes is composed? No doubt it is a fit subject for inquiry whether any of the ingredients put into the beer are deleterious, and contrary to the health of those who drink it. My hon. and gallant Friend has recognized that if quassia be not deleterious it will be difficult for Parliament to enact that it should not be used, but he contends that people should know that they are drinking beer made of quassia and not hops. If ingredients are used which are positively deleterious it will doubtless be right for Parliament to interfere. Still, I am bound to say that the brewers have always made out a strong *primâ facie* case that the substances they used were not deleterious However, I do not see that there can be any objection to have an inquiry into the point. I think I have now dwelt upon most of the subjects referred to in the course of this debate, and explained the attitude of the Government towards the question. We recognize the great importance of the industry, and we recognize also that a certain depression has taken place, although I have better hopes as to the future of the trade than some of my hon. Friends around me. At the same time I cannot hold out any hopes that the existing state of things can be remedied by a course of either open or veiled protection. I do not wish Members to be led into the opinion that the Government, because they grant a Committee, may possibly be led to assent to measures to which they cannot consent. But many other suggestions, short of protection, have been made, into which it would be advantageous that inquiry should be made. I shall be glad of an inquiry because it will clear the air and satisfy those who are engaged in the industry. By careful examination every grievance may be sifted, and the Government may be able to decide on measures which will remove just grievances. I should accordingly be prepared to accept the motion if after the word "means" the words "if any" were inserted, and I hope my hon. Friend will accept that small modification of his Motion.

*Sir WALTER B. BARTTELOT (Sussex, N.W.): I hope the answer of my right hon. Friend the Chancellor of the Exchequer will satisfy my hon. Friend (Mr. Brookfield). The question to which my right hon. Friend referred, as to whether deleterious substances are introduced into beer, is one which deserves consideration. The Chancellor of the Exchequer has even indicated that there is a better future for hops than many of us think; and the remarks of the Chancellor of the Exchequer on the subject of preferential rates on railways are of the most valuable character, and even stronger than those of my right hon. Friend the President of the Board of Trade. He has stated as clearly as we could wish to hear from any Government that the Government will do everything in their power to prevent railways charging a farthing more for home produce than they charge for foreign produce. My right hon. Friend has admitted that the hop industry is very much depressed, and he might also have admitted that there are other industries which are much depressed in this country. It is a general complaint now that whenever any branch of the agricultural interest fails, the whole of the persons who have been employed in carrying it on go to the towns to swell the number of people who require employment there. If the Committee that is to be appointed can point out how employment can be obtained in this country so as to prevent a rush to the colonies it will do a good thing for the country. My right hon. Friend referred to underwoods. He knows that the underwoods of this country have deteriorated 50 per cent. My own have deteriorated more, if anything, than 50 per cent. Why is this? It is simply because we have been pressed very severely by foreign competition. I am glad my right hon. Friend has been able to grant this inquiry, and I think that before long he will have to grant an inquiry of a much larger character, that is to say into the question of why we cannot grow wheat at a profit. I venture to say that such an inquiry would be of vast importance to a nation like ours.

*Mr. C. W. GRAY (Essex, Maldon): I hope my hon. Friend (Mr. Brookfield) will accept the offer of the Government, although I must confess I was rather sorry the Chancellor of the Exchequer made one or two remarks as to the perfect hopelessness of the remedy that is asked for being granted; at the same time, all of us who have a certain amount of sympathy for that remedy know perfectly well that the present Parliament is not likely to deal with the subject in any practical way. I think we are indebted to my hon. Friend (Mr. Brookfield) for the clear way in which he has brought the subject before the House, and to the Government for consenting to the appointment of a Committee. Before we can expect a remedy we must lay our grievances before the House and the country. The hop industry has become very much depressed, and I for one shall be very curious to know what remedies the Committee may propose. In Essex we used to be considerable hop-growers, but we have now lost the business altogether and no hops whatever were grown in the county in 1888, although by a printer's error one acre of hops is returned in the Government returns as having been grown in that year. It is of great importance that if respectable employment can be found for the women and children in our villages it should be found. Though I do not think a remedy can be found without trespassing on forbidden ground, as a first step. I thank the Government for having consented to the appointment of a Committee of Inquiry.

*Mr. CORNWALLIS (Maidstone): We are all extremely grateful to the Government for having accepted the Motion of the hon. Member (Mr. Brookfield), but I sincerely hope the Committee will in no way limit its inquiry. If I read the Motion aright, the serious displacement of labour that has taken place, owing to the decrease of the acreage of cultivation stands in the

forefront, and situated as I am, being a large landowner in Kent, having perhaps a more direct interest in the cultivation of hops than any other hon. Member of the House, I hope I may be allowed to impress on the Chancellor of the Exchequer the serious nature of the disease from which the hop cultivation is now suffering from. As the Representative of a town to which unfortunately, a great many of the unemployed flock from time to time, I can assure the right hon. Gentleman there is good ground for the Motion made this evening. In a neighbouring village to my own there is a farm on which, but a short time ago, there were 100 acres of hops. That acreage has been reduced within the last two years to 30, entailing thereby a loss in wages to the people of the village of no less than £1,500 per annum at the very least. A similar state of things has occurred all round in the hop-growing district. The Chancellor of the Exchequer says he has hopes that this will right itself. I am not as sanguine as the right hon. Gentleman, for we have now come to this pass, that our hop acreage is lower than it has been for 20 years. We see no sign of improvement. I can only sincerely hope I am wrong, and that the Chancellor of the Exchequer is right. In conclusion, let me assure the House that there is really good cause for the Motion of my hon. Friend.

Amendment, by leave, withdrawn.

Another Amendment proposed, to leave out from the word "That" to the end of the Question, in order to add the words—

"A Select Committee be appointed to inquire into the causes which have produced the steady decrease in the acreage of land under hop cultivation, and the serious displacement of labour occastoned thereby, and to report as to the best means, if any, of providing a remedy."—(*The Chancellor of the Exchequer.*)

Question proposed, "That the words proposed to be left out stand part of the Question."

SIR W. LAWSON (Cumberland, Cockermouth): No one expected there would be a house to-night ["No, no"]—but the making of a House shows there is great interest taken in the question by the hop-growers. It is a good thing there has been a House because we have heard a very excellent speech from the Chancellor of the Exchequer. But the right hon. Gentleman's conclusion was not so satisfactory as his speech. He consented to the appointment of a Committee, but I think we may say "his poverty and not his will consents"—his poverty of voters. It seems to me there is no more reason why we should have a Select Committee to inquire into the misfortunes and sorrows of the hop-growers than there is to have a Select Committee to inquire into the condition of other interests of which we have lately heard so much. The Chancellor of the Exchequer says very properly he will not give any sanction to any idea of protection. But the whole aim of the supporters of the Motion is protection. You cannot keep protection out of the Committee. The inquiry will all go to spread that fallacious nonsense. I look upon this as a very absurd proposition, and if no one else votes against it I shall.

*MR. J. G. TALBOT (Oxford University): I do not know whether the hon. Baronet is aware of the fact, but there are a great many people who depend upon the growing of hops for their daily bread. If the hon. Baronet will go down and enjoy the hospitality of his friends in the hop counties, he will find that the hop harvest is looked forward to by the poor people as a means of paying their rents. I think the Government have acted wisely in accepting the Motion. It is not the landowners only who are interested in this question, but the tenant farmers and the labouring classes are all affected. Nor is this all. The annual ingathering of the hops is looked forward to with great interest by a large number of the poor of the Metropolis. I do not to-night see those Representatives of East London constituencies who on other occasions have been so ready to tell us what the people desire, and are so jealous of any police interference with their liberty of action. If they were here they could tell us how in great numbers the poorest from the most congested districts flock to the hop grounds and find in a few weeks' employment the means of adding to their scanty resources. When the hop industry is depressed, that depression

affects the poorest in the East End of London also. Anyone who calls attention to the state of this industry and secures a hearing for its claims, as my hon. Friend has done, and any Government that gives an opportunity for the suggestion of remedies for the depression of this industry, does benefit to the agricultural community and to the poorest class in our towns. It is right that the attention of Parliament should be called to such matters. I do not know whether a remedy can be found, but I do not think it is becoming for those who claim to be working class Representatives to sneer at proposals for the improvement of an industry in which all classes of the community are interested.

*Mr. CHANNING (Northampton, E.): I think the hon. Gentleman is very unjust to the hon. Baronet. I do not understand that my hon. Friend has expressed opposition to the discussion of any practical suggestion to remedy agricultural distress. Reasonable proposals with that object in view will have our heartiest sympathy and support. I have not had the advantage of hearing the debate through, and I hope the House will not quarrel with me if I make an observation or two which must, by necessity, be of a hypothetical nature, but I gather from what has fallen from the Chancellor of the Exchequer that it has been suggested during the debate that a means of relief might be found in the imposition of a duty upon foreign hops. Now it seems to me that any suggestion of that kind is entirely beside the mark. I have taken the opportunity of referring to the Statistical Abstract and the figures in relation to hop importation, and they are of such a startling nature, that really to try and found upon them a case for the imposition of a duty would be simply ridiculous. According to the figures in the Statistical Abstract the quantity of hops imported into this country has diminished to half what it was 5 or 6 years ago. In 1879 the importation was nearly double, and in 1882 it was more than double what it was in 1887. And as to the value, the value of hops imported in 1887 was actually less than one-seventh of that for 1882. If there is any suggestion to remedy distress by the imposition of protective duties I will only say it is a course not warranted by the actual condition of the hop trade.

*Mr. C. J. DARLING (Deptford): It will have surprised Members who have followed this debate while the Benches opposite were absolutely empty, that the hon. Member should come in now at this late hour, and, having supplied himself with a few statistics which relate to nothing said in the course of the debate, a debate which he ingenuously admits he has not heard a word of, should come to the rescue of the hon. Baronet (Sir W. Lawson), who, of course, we knew, if he came here in time, would oppose this inquiry. The hon. Baronet professed himself surprised that a House should have been made to discuss this subject; but he takes his measure of the interest taken by the House in the industries of the country and questions that affect the working classes from his Friends who sit around him, every one of whom, having absented himself, the hon. Member is surprised that there are others interested in the discussion. Of course, if it had been a question as to how somebody had been hurt or even rubbed against by the police in Ireland in the course of a public disturbance, those Benches would have been crowded from end to end.

An Hon. Member: Quarter Sessions.

*Mr. C. J. DARLING: At Quarter Sessions they would find themselves very much at home. Of course, we know that, if the hon. Baronet had got here in time, he would have opposed this Motion. He comes here as the professed and inveterate enemy of the hop. He would not have this Committee granted; he objects to the hop industry being in a flourishing condition; his opinion is that there should not be a hop in the country; and, so long as he can get rid of the hop, he is quite content to sacrifice everybody who gets his living by growing, packing, or selling hops. There is this excuse to be made for the

hon. Baronet. He takes his place among the other minute enemies of the hop mentioned by my hon. Friend. But the hop has survived—I will not repeat the rhyme again—the four enemies that have been mentioned, and it will survive the fifth added to the number of its enemies, but whose name for poetical purposes it is difficult to introduce into the rhyme quoted. It is only in the interests of the insects that the hon. Baronet has taken part in this debate; it has been left to Members on this side of the House to speak in favour of those who get their living out of the hop; it has been left to hon. Members opposite to attempt at once to destroy the hop and those who live by the cultivation of it.

*MR. JAMES ELLIS (Leicestershire, Bosworth): It is an extraordinary thing that complaint should be made that we have taken no part in the Debate, for it is notorious that time after time Motions in which we are interested are simply voted down by hon. Members, who hear nothing of the discussion. We have other remedies for the distress of the poorer classes in this country, to which hon. Members on that side will not listen. We want to marry the people to the land, and we believe that by securing the people on the land, there would be much more benefit to them and to the nation than by the growing of hops. If we want hops we have a right to get them were we like, but the people can grow more useful crops; something that will help to feed the people. The land hunger is strong among the people, and we think we can find means to satisfy it, and cure the evils complained of. No one expected there would be a debate to-night, or we should have been present to listen or take part in it. I am glad that some of us are here to vote against a Motion that seems to me to be absurd and ridiculous.

MR. M'CARTAN (Down, South): If there is anything likely to provoke hostility to the Motion, it is a speech such as that of the hon. Member for Deptford (Mr. Darling). For my own part it was my duty some time ago to call attention to the fact that there were not 40 Members in the House, and it comes with bad taste from the hon. and learned Member to taunt us with not being in attendance. I think it is the duty of Members at all times to vote for inquiry when a grievance of the industrial classes is shown to exist. From these Benches we have often had to complain that appeals made by us on matters of importance to the Irish people have been refused without a hearing, but I merely wish to say that when a demand for inquiry is made by any portion of the kingdom it is our duty to grant it, and so I shall give my vote for the Motion.

Question put, and negatived.

Words added.

Ordered—

"That a Select Committee be appointed to inquire into the causes which have produced the steady decrease in the acreage of land under hop cultivation, and the serious displacement of labour occasioned thereby, and to report as to the best means, if any, of providing a remedy."

SUPPLY — Committee upon Monday next.

TRUST FUNDS INVESTMENT (RE-COMMITTED) BILL. (No. 280.)

Considered in Committee.

(In the Committee.)

Clauses 1 and 2 agreed to.

Clause 3.

*MR. TOMLINSON (Preston): The Amendment I have to propose is one that I moved in the Committee upstairs. The class of investments involved in the Amendment comprises a speculative element, and though in another part of the clause we have excluded the ordinary stock of English railways, it is here proposed to include the guaranteed ordinary stock of Indian railways, and it is this ordinary stock which my Amendment proposes to exclude. It is true that this Indian stock has a guaranteed interest, but the interest guaranteed by the Indian Government is only a minimum dividend, and there are railways the ordinary guaranteed stock of which is quoted in the market at rates far beyond what would arise from the guaranteed interest, the difference representing the value of the excess of

income earned above the guaranteed minimum. Whatever reasons exist for the exclusion of the ordinary stock of English railways on the ground of its speculative character apply to Indian stock, and, therefore, I move my Amendment.

Amendment proposed, page 2, line 20, leave out from the first "In," to "India," in line 22, inclusive.

Question proposed, "That the word proposed to be left out, stands part of the Question."

MR. COZENS-HARDY (Norfolk, N.): I hope the hon. Member will not think it necessary to press this. The matter was most carefully considered in Committee upstairs, when the hon. Member found himself in a minority of one. It was considered that railway stock guaranteed by the Government of India was fit for trustees to invest in.

Question put, and agreed to.

MR. SEXTON (Belfast, W.): I beg to move the Amendment standing in the name of the hon. Member for North Belfast (Sir William Ewart). The Standing Committee unanimously recommended that trustees, unless forbidden by the terms of the trust, should be allowed to invest in the normal stocks of Muncipal Corporations, and we claim that the stock of Commissioners established for the purposes of water supply stands in precisely the same position when secured by Parliamentary authority for the levying of rates. I mention this with particular reference to the Corporation of Belfast, whose stock is open for investment by trustees, but the stock of the Commissioners for water supply resting on the same security, the local rate is excluded. I am not aware of any reason for this unless it is that the power of levying rates is limited, and it may be that the full power is exercised without profit to the undertaking. To meet this the Amendment provides that this stock shall not be included unless for ten years before the investment, the rates levied shall be within 80 per cent of the authorized limit of rating. In such a case I think with 20 per cent of the authority not exercised the margin of security cannot be questioned, and public policy justifies the suggestion made.

Amendment proposed, page 2, line 29, after "stock," insert—

"Or in the mortgages or stock of any Board of Commissioners or Corporation established by Act of Parliament for the purpose of supplying water, and having a compulsory power of levying rates, provided that for ten years past before the date of investment the rates levied shall not have exceeded eighty per centum of the amount authorized by Law to be levied."

Questioned proposed, "That those words be there inserted."

*THE SECRETARY OF STATE FOR WAR (Mr. E. STANHOPE, Lincolnshire, Horncastle): This point was not raised before the Committee upstairs. The Committee examined closely into all these questions of investment in the stock of water companies, but this goes outside those questions. We are not, however, prepared to accept it without more consideration. I admit, on the face of it the Amendment suggests a new form of investment that does not seem open to any special objection in itself. It certainly is worthy of consideration, and I would suggest to the right hon. Gentleman that he should give this opportunity for consideration by withdrawing the Amendment now raising it again on Report. We will consider whether we can, consistently with the other parts of the Clause, incorporate this proposal, though perhaps not exactly in these words.

MR. SEXTON: I accept that suggestion.

Amendment, by leave, withdrawn.

Clauses agreed to.

Remaining Clauses and Schedule agreed to.

Bill reported, without Amendment.

To be read the Third Time upon Monday next.

Notice taken that 40 Members were not present; House counted, and 40 Members not being present—

House adjourned at Twelve o'clock till Monday next.

HANSARD'S PARLIAMENTARY DEBATES.

No. 16.] FIFTH VOLUME OF SESSION 1889. [JULY 16.

HOUSE OF LORDS,

Monday, 8th July, 1889.

The Earl of MORLEY sat Speaker.

PALATINE COURT OF DURHAM BILL. (No. 71.)

Returned from the Commons, agreed to with Amendments.

COAL DUTIES (LONDON) ABOLITION BILL. (No. 143.)

House in Committee (according to order).

Bill reported, without Amendment.

Standing Order No. XXXIX. considered, according to order.

*LORD BALFOUR: My Lords, I beg to move, in accordance with the Notice that I have placed upon the Paper, that the Standing Order be dispensed with, in order that at this sitting the Bill may be passed through its remaining stages. The Bill itself is urgent, for the reasons which I had the privilege of stating to your Lordships last Friday; and, as it has passed the Second Reading without opposition, and through Committee without Amendment, and as it is so much in the nature of a Money Bill, which this House could only with great difficulty amend, I think I may appeal with some confidence to the House to regard it as a reasonable proposal to suspend the Standing Order.

Moved, "That Standing Order No. XXXIX. be dispensed with."—(*The Lord Balfour.*)

*LORD DENMAN: I hope that your Lordships will not agree to this Motion. It is absolutely necessary to make some verbal alteration in this Bill. As to the fact of its being a Money Bill, we are not so afraid of Money Bills in this House as is commonly supposed; in fact, the House of Commons very often agree to Amendments *bonâ fide* made by this House in similar Bills. For myself, I would much sooner have voted for the continuance of the Coal and Wine Dues, which I believe were most useful and kept up the honour of the City, and did not impose any serious tax upon the ratepayers. I beg to oppose the suspension of the Standing Order, and to suggest that the Bill should come before us in Committee to-morrow.

Motion put, and agreed to.

Bill read 3ª and passed.

ADOPTION OF CHILDREN BILL. (No. 101.)

Order for Second Reading read.

*THE EARL OF LIMERICK: I have to make an appeal to the noble Lord who has charge of this Bill. I do not wish to express any opinion upon the Bill; but I would appeal to my noble Friend, considering the state of the House this evening, and as many noble Lords who take an interest in this matter are absent, whether it would not be well to postpone the Second Reading.

*LORD FITZGERALD: My Lords, personally I do not approve of this Bill, but it deals with what, no doubt, is a very important subject. I apprehend that after the Second Reading it would be the intention of the noble Lord to move that the Bill be referred to one of the Standing Committees. I have only to say that if the noble Lord does not

assent to the postponement of the Second Reading, it will be necessary for some of us to discuss the principle of the Bill.

THE EARL OF KIMBERLEY: I hope the noble Earl will consent to postpone the Second Reading. The Bill deals with a matter of the greatest importance, but there are many who entertain great objections to certain parts of it; and I think it would be unsatisfactory, in the present state of the House, to give it a Second Reading.

THE EARL OF MEATH: I am entirely in the hands of the House.

Second Reading put off to Tuesday the 16th instant.

PASSENGERS ACTS AMENDMENT BILL.
(No. 100.)

Read 3ª (according to order), and passed, and sent to the Commons.

House adjourned at a quarter before Five o'clock, till To-morrow, a quarter past Ten o'clock.

HOUSE OF COMMONS,

Monday, 8th July, 1889.

IMPRISONMENT OF MR. CONYBEARE.

MR. SPEAKER informed the House that he had received the following letter relating to the imprisonment of Mr. Conybeare, Member of this House:—

Lifford,
5 July, 1889.

Sir,

I beg to inform you that on this day Mr. Conybeare, a Member of the House, has been committed on my warrant to Londonderry Gaol for three calendar months, as a misdemeanant of the first division, having been convicted by me, upon appeal, of taking part in a criminal conspiracy to interfere with the administration of the Law.

I have the honour to be,
Sir,
Your obedient servant,
THOS. S. WEBB,
County Court Judge and Chairman of Quarter Sessions for Donegal.

The Right Hon. the Speaker.

QUESTIONS.

THE MAMLUTDARS.

DR. CAMERON (Glasgow, College): I beg to ask the Under Secretary of State for India, with reference to the statement of the Calcutta correspondent of the *Times*, that the Mamlutdars, who testified on oath that they had purchased their offices or promotion by bribery, "are still retained in office on full pay, and allowed to exercise jurisdiction in civil suits," (1) whether Balkrishna Govind Sindekar, regarding whom the Crawford Commissioners (page 24) report "that he was, on his own showing, no victim of extortion, but a willing party to a corrupt bargain," still retains office on full pay, and exercises jurisdiction in civil suits; (2) whether Balvant Narayan Dabir, regarding whom the Crawford Commissioners (page 30) report "that he shows himself in no sense the victim of extortion or oppression, but a man who conceived the idea of offering a bribe for that to which he had no special claims," still retains office on full pay, and exercises jurisdiction in civil suits; (3) whether Daji Ballai Paranjpe, concerning whom the Crawford Commissioners (page 56) report "that, according to his own showing, he was not in any sense a victim of extortion, but a willing party to a corrupt bargain," still retains office on full pay, and exercises jurisdiction in civil suits; (4) whether Ramchandra Krishna Vinze, concerning whom the Crawford Commissioners (page 70) report "that he is a man who confesses to having come to volunteer a 'bribe,'" still retains office on full pay, and exercises jurisdiction in civil suits; and (5) if he would name the "three officers," stated to have been dismissed from Government employment."

*THE UNDER SECRETARY OF STATE FOR INDIA (Sir J. GORST, Chatham): Sindekar has been retained in office by the Government of Bombay because they are of the opinion that, taking all the facts into consideration, he ought not to be called corrupt, but was a victim to oppression and extortion. (2) Dabir retains his office of Karkan. He has not, and has never had, jurisdiction in civil suits. (3) Paranjpe retains his office, but has no jurisdiction in civil suits. (4) Vinze has reverted from his

position of Acting Mamlutdar to his original office of Chitris. He has no jurisdiction in civil suits. (5) The officers are Rao Saheb Binder Gopal; Narayan Shrinivras; Vinayakrao Rangrath Purhandharé.

DR. CAMERON: Can the hon. Gentleman inform the House if it is true, as stated in the Calcutta correspondence of the *Times* of the 24th ultimo, and repeated in the Calcutta telegram in the *Times* of the 1st instant, that the High Court of Judicature of Bombay has pronounced a Judgment affirming that the corrupt Mamlutdars and Magistrates are, by the operation of 49 Geo. 3, c. 126, "disabled persons in law to all intents and purposes to have, occupy, or enjoy the office or offices" for which they have paid bribes?

*SIR J. GORST: There has not yet been sufficient time for the arrival in this country of the Judgment referred to in the question; and the Secretary of State cannot express any opinion upon it until he has seen it.

DR. CAMERON: I will repeat the question on Thursday.

OBSOLETE ANCHORS.

MR. GOURLEY (Sunderland): I beg to ask the First Lord of the Admiralty how many anchors of obsolete pattern are at present housed in Anchor Lane, at Portsmouth Dockyard; how many of similar type are in store at other Dockyards, at home and abroad; and whether it is intended to take advantage of the recent advance in the iron market to dispose of all useless and obsolete anchors now in stock at Portsmouth or elsewhere, replacing them with stockless anchors similar to those now being used in the Mercantile Marine?

THE FIRST LORD OF THE ADMIRALTY (Lord G. HAMILTON, Middlesex, Ealing): It is hardly correct to describe the anchors mentioned in the question as useless and obsolete; for, though anchors of a newer pattern will be largely introduced in modern ships, the anchors of the older patterns are required as spare for the large number of ships now supplied with these patterns and for moorings, for which purpose a considerable stock has to be maintained.

IRISH NATIONAL SCHOOL TEACHERS.

MR. T. W. RUSSELL (Tyrone, S.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether the Central Council of the National Teachers' Association in Ireland have recently laid before him a scheme, under which the position of the teachers would be greatly improved, without any serious demand upon the Treasury; and if he can say whether the Government see their way to legislation with this object in view?

THE CHIEF SECRETARY FOR IRELAND (Mr. A. J. BALFOUR, Manchester, E.): It is the case that the Central Executive Committee of the Irish National Teachers' Organization have recently suggested the imposition of a national rate to augment the teachers' salaries. Without entering upon the question of the merits or demerits of the proposal, I was obliged to point out, in answer to the memorialists, that it was quite clear that the Government could not at the present time introduce a measure to carry out any proposal of the kind with the slightest prospect of success. And, I fear, I cannot give a more satisfactory answer to my hon. Friend.

WAR OFFICE PENSIONS.

MR. BRADLAUGH (Northampton): I beg to ask the Secretary of State for War, with regard to the case of Andrew Robertson, now of Girvan, N.B., late acting paymaster sergeant Royal Scots Fusiliers, who was formerly awarded by the Commissioners of Chelsea Hospital a pension of 2s. 3d. per day, and which pension has since been reduced by the War Office to 2s. 0½d. per day, if he will state on what grounds and under what authority this pension has been so reduced?

*THE SECRETARY OF STATE FOR WAR (Mr. E. STANHOPE, Lincolnshire, Horncastle): The Commissioners of Chelsea Hospital granted Andrew Robertson a pension which the Exchequer and Audit Department pointed out was in excess of the sum allowed for his service by the Royal Warrant, and the Commissioners thereupon reduced the pension to the authorized amount.

LAND IN THE TRIM UNION.

MR. RICHARD POWER (Waterford): I beg to ask the Chief Secretary

to the Lord Lieutenant of Ireland why the Land Commissioners have not yet fixed the rents of plots of saleable land in the Trim Union; and, whether he is aware that the Provisional Order, authorizing cottages to be built, was issued by the Local Government Board on 30th November, 1887; that it was appealed against, and made absolute in April 1888; that cases were sent to the Land Commissioners, and all questions in reference to them answered in March 1889; and that since then nothing has been done?

MR. A. J. BALFOUR: The Land Commissioners state that the Provisional Order of April, 1888, relates to the third scheme for the erection of labourers' cottages, in the Union of Trim. The rents payable in respect of the plots taken under the two former schemes have been all fixed, and the orders completed. Under the third scheme applications were lodged in 39 cases, in all of which, with three exceptions, the rents were fixed in May last. In two of the remaining cases it is expected that orders will be made immediately. The third case has been adjourned for Amendment.

ARKLOW.

MR. WILLIAM CORBET (Wicklow, E.): I beg to ask the Secretary to the Treasury what is the rateable valuation of the town of Arklow; what is the amount of its present liability in relation to the harbour works; whether he is aware that the south pier is being undermined, owing to the want of protection which a north pier would give; and whether, looking to the inability of the town to bear a further impost, the Treasury will give a small grant to lay down the concrete blocks which were made for the construction of the north pier, and, if necessary, introduce a short Bill for the purpose?

*THE SECRETARY TO THE TREASURY (MR. JACKSON, Leeds, N.): I am informed that the rateable value of the town of Arklow is about £5,500, and that the town is liable for an annuity for a term of 50 years, in relation to the harbour works.

THE RIVER ROBE.

MR. J. F. X. O'BRIEN (Mayo, S.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether complaints have reached him that a large sum has been spent on the drainage of the River Robe, with, as result, yearly flooding of the lands on the banks where the work remains unfinished; whether a comparatively small sum would remedy the evils complained of; and, whether he will now have the drainage of the River Robe completed without further delay?

*MR. JACKSON: On two occasions recently I have answered similar questions about the River Robe. I can only repeat that I know of no intention on the part of the Government to proceed with drainage works on that river.

ILLEGALLY SHIPPING PAUPERS.

MR. BROADHURST (Nottingham): I beg to ask the President of the Board of Trade, whether his attention has been called to the fact that two men named Hoey and Brogan were fined £5 each by the Liverpool Stipendiary Magistrate on 2nd July for illegally shipping paupers to act as seamen on board the *Adriatic*; and, whether the owners of the *Adriatic* are liable to a penalty of £20 for each man so shipped; and, if so, whether it is the intention of the Board of Trade to take any steps to enforce this penalty?

THE PRESIDENT OF THE BOARD OF TRADE (Sir M. HICKS BEACH, Bristol, W.): The two men Hoey and Brogan were convicted, not because they supplied paupers, but because they illegally supplied men without first obtaining a license to supply them from the Board of Trade. Owners are liable to a penalty for employing unauthorized persons to supply seamen. Owing to the absence of the ship and the absconding of Hoey and Brogan, no proceedings can at the moment be taken against the owners for employing them, and a prosecution will depend on the nature of the evidence that can be produced hereafter.

THE SALVATION ARMY.

MR. BROADHURST: I beg to ask the Secretary of State for the Home Department, whether his attention has been called to the sentence passed upon a Salvation Army captain, named Amy, by the Nottingham Borough Magistrates, on 19th June, for drawing a vehicle, that was proceeding on the wrong side of the road, out of the way

of a procession, in order that it might not cause any injury to the processionists; and what action he proposes to take in the case, since "Captain" Amy has suffered a term of imprisonment?

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (MR. MATTHEWS, Birmingham, E.): I am informed by the justices that the vehicle was not proceeding on the wrong side of the road, but had stopped and was standing close to the kerb opposite a shop to enable the driver to give an order. There is a wide thoroughfare at this point, and there was no other vehicle about, so that it was easy for the processionists to have avoided the vehicle altogether, as the driver signalled to them with his hand to do. Instead of doing this the members of the Army seized the horse and forcibly removed the vehicle from its position. These facts were proved to the satisfaction of the Justices. The defendant was represented by a solicitor, and no notice of appeal was given, and no point of law raised during the hearing. Upon this statement of the Justices I do not propose to take any action.

MANUFACTURE OF POSTAGE STAMPS, &c.

MR. ESSLEMONT (Aberdeen, E.): I beg to ask the Secretary to the Treasury whether, although the cost of the manufacture and supply of postage stamps, postcards, &c., is charged upon the Post Office Vote, the administration of these moneys vests in the Commissioners of Inland Revenue; whether, in view of the evidence given last Session before the Committee on Revenue Estimates, Her Majesty's Government intend to allow this system to continue; and whether care has been taken that no clause is inserted in the contract now been entered into between the Commissioners of Inland Revenue and Messrs. De la Rue, which would place any impediment in the way of a transfer of the administration of the Post Office Vote, for the manufacture, &c., of postal stationery, to the Postmaster General?

*MR. JACKSON: My answer to the first paragraph of this question is yes. As to the second question the matter has been before the Government; there are considerable difficulties in the way of altering the present system, and the advantages to be gained are very doubtful, but I am not in a position to say what the final judgment may be. I am not aware of any clause in the contract with Mr. De la Rue which will fetter or limit the discretion of the Government in this respect.

IRELAND—PRISON TREATMENT.

DR. FITZGERALD (Longford, S.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland if he can state the reason why Irish Members of Parliament going to prison under the Criminal Law and Procedure Act are now conveyed in close prison vans, whereas in the cold season of the year they have been conveyed in open brakes or cars?

MR. A. J. BALFOUR: There does not appear to be any general change in the mode of conveying to prison Irish Members of Parliament convicted under the statute quoted. But, as I have already explained, in reply to a question asked in this House a few days ago, the practice at Clonmel of conveying such prisoners on the constabulary breaks has been discontinued since May last, owing to the refusal of the hon. Members for East Tipperary (Mr. T. J. Condon), and South Tipperary (Mr. John O'Connor), to enter the breaks when being brought to Clonmel Prison.

MR. SEXTON (Belfast, W.): It is true, in regard to Dr. Tanner, that the prison van into which he was forced is one that is not even used for convicts at Clonmel?

MR. A. J. BALFOUR: I must ask for notice before I can answer that question.

MR. SEXTON: Is the right hon. Gentleman aware that the prison van is without ventilation, and is absolutely sickening?

MR. A. J. BALFOUR: I have no information to that effect.

MR. SHAW LEFEVRE (Bradford, Central): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether any, and, if so, what instructions or explanations have been issued by the Prisons Board of Ireland or by the Government as to the mode in which the Prison Authorities are to carry out the new rule with reference to the exercise of prisoners, or pointing out the class of persons who are to be

relieved from association with other criminals; whether it is a fact that the Reverend Father Stephens and Mr. Kelly, imprisoned under the Criminal Law and Procedure (Ireland) Act in Derry Gaol, have since the passing of the rule been required to take exercise with certain Belfast men who had been convicted of wholesale frauds and forgeries in connection with the lives of inebriates and persons suffering from fatal diseases, and whether, on declining to do so, they were deprived of exercise and confined to punishment cells; whether the Belfast forgers had on their part been relieved under the new rules from wearing the prison dress and from taking exercise with other felons; and, whether such action of the Prison Authorities is in accordance with instructions of the Prisons Board, or meets with the sanction of the Government?

MR. MACNEILL (Donegal, S.) had also the following Question on the Paper:—I beg to ask the Chief Secretary whether it is true, as stated in the *Daily News* of Thursday, that Father Stephens and Mr. Kelly, who are serving a term of imprisonment under the Criminal Law and Procedure (Ireland) Act in Derry Gaol, were ordered on Wednesday morning to exercise with the prisoners convicted for insurance frauds in Belfast, and, on their refusal to do so, were, and are, still confined to their cells; and, whether, having regard to the fact that Captain Wilson committed an error of judgment (which was admitted by the Chief Secretary) in refusing to allow two female prisoners from Gweedore to wear warm clothing supplied to them by friends for the journey between Derry and Letterkenny, and also, on the 20th May, 1889, remonstrated with the Rev. John Doherty, Roman Catholic administrator and chaplain of the gaol, for calling to see—

"A certain class of prisoners, such as the Rev. Mr. Stephens, Mr. Kelly, and Mr. M'Hugh, oftener than others confined in the prison,"

the Chief Secretary, as head of the Prisons Board (Ireland), will take any and what steps to prevent future errors of judgment on the part of this Gentleman?

MR. A. J. BALFOUR: In regard to the question of the right hon. Gentleman and also of the hon. Member for South Donegal (Mr. Mac Neill) I have to say that I only received a Report just before entering the House, and I shall be obliged therefore if the questions are deferred until to-morrow.

EMPLOYMENT IN GOVERNMENT DEPARTMENTS.

MR. MACNEILL: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he is aware that under paragraph 3 of the regulations issued by the Civil Service Commission on 1st June, 1881, the list of persons eligible for occasional employment as messengers, porters, &c., in Government Departments is limited to persons who have served in the Army, Navy, Royal Irish Constabulary, or London Metropolitan Police, and therefore an ex-Station Sergeant of the Dublin Metropolitan Police having a pension for life, on making application for such employment, was informed by the Secretary of the Civil Service Commission that he was ineligible for registration as a temporary messenger; and whether he will take such steps as will rectify this omission, and in this respect place the Dublin Metropolitan Police on terms of equality with the London Metropolitan Police?

MR. A. J. BALFOUR: The omission of Dublin Metropolitan Police Pensioners from the classes of persons eligible, under certain conditions, to be placed upon the list of temporary men messengers appears to have arisen through inadvertence, and will be rectified. I may, however, add that it seems that demands for such occasional assistance in Dublin are rare, the total for the past three years numbering six only.

POST OFFICE AT NEW QUAY.

MR. BOWEN ROWLANDS (Cardiganshire): I beg to ask the Postmaster General whether any appointment has yet been made to the Post Office at New Quay, Cardiganshire; whether a memorial has been received by the Government, signed by 623 adult inhabitants of the district, including persons of all parties, in favour of Mr. Hugh Davies, who had been employed under the late postmaster for 16 years, and had for eight of those years done all the indoor work; and, whether testimonials have been received in favour

of Mr. Davies from the leading men of the neighbourhood?

*THE POSTMASTER GENERAL (Mr. RAIKES, University of Cambridge): In reply to the hon. Member I have to state that no appointment has yet been made to the Post Office at New Quay, Cardiganshire. A numerously-signed memorial and testimonials have, I understand, been received in favour of Mr. Hugh Davies by the Government, and I have no doubt that Mr. Davies' claims, together with those of other applicants, will be fully considered by the Lords of the Treasury, with whom the nomination rests.

INSPECTORSHIP OF ARMY CLOTHING.

MR. HANBURY (Preston): I beg to ask the Secretary of State for War whether any appointment has yet been made, and, if so, when, to the Inspectorship of Army Clothing; what is the age of the selected candidate and his salary; and, whether in view of the intention of the Government to alter during this Session the regulations as to pensions, any provision was made for bringing the appointment under the new instead of the old scale of pensions?

*MR. E. STANHOPE: The appointment to the Inspectorship of cloths, serges, and made-up clothing was made on the 1st May last. The selected candidate was 46 years of age, and his salary is £450, rising to £600 a year. The appointment is to be governed, as regards superannuation, by the new rules.

MR. HANBURY: Is it the fact that the advertisements issued distinctly stated that the applicants were to be under 40 years of age?

*MR. E. STANHOPE: The person selected was considered to be by far the most eligible.

FATHER STEPHENS' IMPRISONMENT.

SIR GEORGE TREVELYAN (Glasgow, Bridgeton): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether it is the case that during the first month of the Reverend Father Stephens' imprisonment in Derry Gaol he was allowed no books but a Bible and a Prayer Book; whether, from the second month onward, Father Stephens is allowed by rule two books at a time, but that the Governor interprets the rule to mean that these two books must be selected from the Prison Library, and may not be changed during the whole period of the sentence; and, whether the writing materials supplied to Father Stephens in the second month of his term of imprisonment consist of a slate and slate-pencil?

MR. A. J. BALFOUR: The General Prisons Board report that the reply to the inquiry in the first paragraph is in the affirmative. The prisoner is only entitled during the second and third months to one book for the whole period, which he has received, and which was selected, as required, from the prison library, and which may be changed after the third month in ordinary course. A slate and pencil are only allowed by the regulations during the present stage of his imprisonment.

SIR G. TREVELYAN: Can the right hon. Gentleman say whether the regulation is a general one, or whether it has been made by the Governor?

MR. A. J. BALFOUR: I should imagine that it is a general regulation.

OUTRAGES IN ARMENIA.

MR. BRYCE (Aberdeen, S.): I beg to ask the Under Secretary of State for Foreign Affairs whether it is the fact that a Report upon the murders and other outrages recently perpetrated by the Kurds in the neighbourhood of Van, in Armenia, has been sent by Her Majesty's Consular Agent at Van to the British Embassy at Constantinople; and, if so, whether Her Majesty's Government will obtain this Report and present it to the House?

*THE UNDER SECRETARY OF STATE FOR FOREIGN AFFAIRS (Sir JAMES FERGUSSON, Manchester, N.E.): Reports upon those events have been received and will be included in the papers which it has been resolved to present to Parliament.

MR. BRYCE: When will the papers be presented?

*SIR J. FERGUSSON: I cannot name the day, but they are in an advanced state of preparation.

WOOLWICH DOCKYARD—DISCHARGE OF WORKMEN.

MR. CUNINGHAME GRAHAM (Lanarkshire, N.W.): I beg to ask the Secretary of State for War, is he aware that, on 23rd March, 1889, 12 men en-

gaged in the Inspection Department at the Royal Dockyard Woolwich, received notice that their services would not be required after 30th March; that one of these men had been identified with the exposure of the appointment of contractors' men as "viewers" in place of mechanics employed by the Government; that, in spite of a printed order to the contrary posted in the workshop, permission to see Colonel Barrington, Superintendent of Inspectors, was refused on the ground that he was too busy; will he inform the House whether it is permissible for properly qualified mechanics to be discharged from the Royal Dockyard after 12 years' continuous engagement on the ground that they are "classed as agitators;" and, whether he will direct that in future all appointments as viewers shall be from among the regular *employés* of proved ability?

*Mr. E. STANHOPE: The discharges referred to were not from the Inspection Department, but from the collar-makers' shop, where a reduction of civilian workmen was rendered necessary by service changes. I am informed that there is no ground for the other statements in the question. Appointments as viewers are made, and will continue to be made, from men who are considered most qualified for the purpose, but due regard is always had to the claims of men already in the service.

JOBSON'S TIME FUSE.

Mr. CUNINGHAME GRAHAM: I beg to ask the Secretary of State for War if he could appoint either a Commission or some practical person to examine into the claims of Mr. Jobson in relation to his "time fuse?"

*Mr. E. STANHOPE: As I have already stated Mr. Jobson's claim to compensation for the invention of a time fuse has been reported on by a Special Committee appointed for the purpose, by the Ordnance Committee and by the Ordnance Council. They have all reported against the admissibility of the claim, and I do not think it necessary to re-open the question.

MR. P. O'BRIEN, M.P.

Dr. FITZGERALD: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland if he is aware that Doctors Stephen, Sullivan, and Riordan, of Cork, have issued the following certificate in reference to the condition of the hon. Member for North Monaghan (Mr. P. O'Brien):—

"He has a jagged, contused wound on the left side of his head, on the front bone, and another at the back. The bone in front bared, but not at the back. He is very weak and faint through hæmorrhage;"

has he been informed that erysipelas has set in; and, can he give the House any further information as to the condition of the hon. Member?

Mr. A. J. BALFOUR: This is not a matter within my official cognizance; nor have I any special means of obtaining information on the subject.

Mr. SEXTON: Was any order given on the occasion of this deadly assult on a Member of the House by any person who was authorized to give an order?

Mr. A. J. BALFOUR: No such order was given to the police to commit an assault. The police were ordered to prevent the mob from surging forward.

Mr. J. MORLEY (Newcastle-on-Tyne): Is the right hon. Gentleman able to give us any information as to the condition of an hon. Member of this House who was injured on the occasion in question?

Mr. A. J. BALFOUR: I have no more information as to the hon. Gentleman than if he were not a Member of the House. This does not come within my cognizance.

Mr. J. MORLEY: Under the circumstances, will the hon. Gentleman take care that it shall come under his cognizance?

Mr. A. J. BALFOUR: The right hon. Gentleman must be perfectly aware that I have no means of obtaining any information with regard to the health of private individuals, whether they are Members of this House or not.

Mr. SEXTON: Is it alleged that the hon. Gentleman who was injured was guilty of any violence, or any incitement to violence; or whether he was doing anything more than quietly standing by after shaking hands with the hon. Member for North-East Cork (Mr. W. O'Brien)?

Mr. A. J. BALFOUR: That question has no relation to the question on the Paper, which, as I understand it, has reference to the physical condition of an hon. Member of this House. I

might remind the hon. Gentleman that the police requested the hon. Member for North Monaghan to remove from the place where he was, and he declined to do so.

THE MAYOR OF CORK.

MR. FLYNN (Cork, N.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland, if he will state why neither the Mayor of Cork, nor any of the local Magistrates, were consulted in regard to the preservation of peace and order in that city on the occasion of a proclamation of a meeting on Sunday last; and if it has always been the custom of the authorities to consult the Mayor, as Chief Magistrate of the city, on occasions when there is any reason to apprehend anything tending to a breach of the peace?

MR. A. J. BALFOUR: The Mayor of Cork is reported to have been one of the chief organisers of the illegal meeting, and it was announced by the public press and by public placards that he had promised to attend the meeting. Had he not been so identified in the promotion of the illegal meeting he would have been consulted in the matter.

MR. FLYNN: Can the right hon. Gentleman state whether any intimation was given to the Mayor of Cork that the meeting called for last Sunday had been proclaimed by the authorities; if not, why was the usual course departed from; and was any notice of the proclamation served on the secretaries or any of the promoters of the meeting?

MR. A. J. BALFOUR: The Constabulary Authorities report that a copy of the proclamation was not handed to the Mayor, or to any of the other promoters of the meeting; but the proclamations were extensively posted throughout Cork city on the previous Friday, and the local newspapers contained announcements to that effect on Friday afternoon and the following day. The proclamations were also largely posted in the county, so that all concerned had full notice.

THE AFFAIR AT CHARLEVILLE.

MR. FLYNN: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland if he has seen the statements, reported in the Cork and Dublin papers, made by the two railway officials in regard to the firing by the police at Charleville Railway Station on Sunday last. Timothy O'Sullivan says—

"I did not hear, and, so far as I am aware, none of the persons on the platform heard of the arrest of Mr. O'Brien, or that he was in the train. . . . On opening the door I saw the officer sitting, and all the constables standing. They were holding their rifles, and seemed to be very excited. They made repeated thrusts at me when I opened the door. I tried to explain to the officer I wanted the tickets, but he would not listen, and he continued to shove me off the footboard. A small crowd then gathered outside the door, and I turned to keep them back. Seeing that there was no use in remonstrating with the District Inspector I sigualled to the guard to start, and the train at once moved on. Just as it began to move a shot was fired from the carriage, and the bullet hit me on the face and knocked me down, and I don't remember anything more. O'Sullivan's face shows the marks of where the bullet grazed his face."

Jeremiah Crowley, railway porter, also made the following statement—

"I saw the head porter, Sullivan, engaged in checking the first-class compartment that the officer was in. The next thing I saw was the head porter getting out and giving a signal to the guard to blow his whistle. . . . The next thing I saw was the officer with his revolver pointed through the window. I saw him distinctly. I heard a shot and saw the head porter fall off the step. Immediately afterwards I heard two other shots fired. The train was in motion at the time, and I think it was the officer fired the three shots. I heard no more than three shots. There might have been about three seconds between each shot. I did not notice Nolan, who was shot, until after the train had cleared away from the platform. He bared his leg and showed me his thigh wounded. There was no provocation whatever given by the people. . . . The people came up to the station to welcome some townspeople who were returning from the meeting in Cork, and they appeared to have no knowledge, as far as I could judge, that Mr. O'Brien was in the train until it arrived at the platform. There was no such thing as an attack on the carriage. Two windows were broken when the train arrived—the side windows of the compartment Mr. O'Brien was in. I saw no stones thrown. There were no police on the platform when the train arrived. They are not usually there for the night mail;"

and, in view of the grave allegations contained in the statements, will he order a sworn inquiry into the conduct of the police on this occasion?

MR. A. J. BALFOUR: I have already given the House the substance of the information I have received on the subject, and I see no ground in consequence of the newspaper report to which the hon. Member draws my attention to alter the opinion I have expressed. If

any person thinks that he has just cause of complaint against the police the proper course will be to bring the matter before a Court of Law.

MR. W. O'BRIEN (Cork, N.E.): Will the right hon. Gentleman give the House the terms of the police Report of the transaction?

MR. A. J. BALFOUR: I have already given the substance of that Report. I have not brought down the Report with me, nor do I know, if I had, that I should give it verbatim to the House, as that would not be the usual course.

MR. W. O'BRIEN: I shall ask the right hon. Gentleman to send for the Report, as I shall call attention to it presently.

MR. SEXTON: Does the right hon. Gentleman lay down the proposition that no duty lies upon the Government to investigate public charges of grave misconduct against the police, and that the only remedy is to proceed by action in the Courts of Law?

MR. A. J. BALFOUR: I lay down no general proposition of the kind. What I say is that the information brought to my notice satisfies me that there was no cause for complaint against the police, and I see no ground for altering that view in consequence of a newspaper report. If the police are alleged to have acted illegally, the proper course would be to proceed in a Court of Law.

CRIME IN LOUTH.

MR. M'CARTAN (Down, S.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether his attention has been called to the address of Mr. Justice O'Brien to the Grand Jury of Louth, as published in the *Freeman's Journal* of yesterday, in the course of which the Judge said—

"There was no account of crime in their county, either detected or undetected. The total absence of crime, which would be signified by the interesting ceremony now being prepared by the sheriff, was not always to be accepted as certain proof of the satisfactory state of things, and sometimes peace was only the result of tired-out lawlessness. He was happy to say such was not the case in that county, and the absence of crime was the result and expression of a general state of peace."

His Lordship was then presented with a pair of white gloves; and whether it is for an alleged crime committed in this county that the Parliamentary representative for the county and the hon. Member for East Clare have been called upon to appear before a Court at Drogheda on Monday next?

MR. A. J. BALFOUR: I understand that the newspaper report of the remarks of the learned Judge is substantially correct, except that it would appear he used the words "no crime of account," instead of "no account of crime." The synopsis of the return of crime presented to him by the constabulary showed that since the previous assizes six offences had been specially reported, in addition to which there were 388 minor offences not specially reported. The offence for which the hon. Members mentioned are being proceeded against was not committed in the county of Louth, but in the county of the town of Drogheda, which is never included in the Judge's address to the Grand Jury of Louth.

DR. TANNER.

MR. M'CARTAN: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he is aware that the hon. Member for Mid Cork (Dr. Tanner) was again, since his last trial, forced with violence into the prison van at Clonmel; whether any other hon. Member of this House has been similarly treated in Ireland during his imprisonment under the Crimes Act; and whether he will state why the hon. Member for Mid Cork alone has been treated thus?

MR. A. J. BALFOUR: I understand that it is the case that it became again necessary to force the hon. Member mentioned into the prison van, as he refused to enter it. No violence was used, nor any unnecessary force. I am not aware whether there has been any previous case of resistance on the part of a convicted Member.

DELAY OF TELEGRAMS.

MR. SEXTON: I beg to ask the Postmaster General how it happened that a telegram to Mr. Lane, M.P., from John Moloney, one of the bail sureties, was delayed in the Tipperary Post Office for five hours on Wednesday last?

MR. RAIKES: In reply to the hon. Member, I have to say that I have received by telegraph a report to the effect that the message was accidentally mislaid, and not discovered until an

examination was made in the afternoon of all the messages then in the office. There seems to have been inexcusable carelessness, of which I will not fail to take suitable notice.

THE CIVIL LIST PENSION FUND.

MR. SUMMERS (Huddersfield): I beg to ask the First Lord of the Treasury whether he is correctly reported as having said, in reply to the Society of Authors, that

"Writers of novels (unless historical) were not entitled, under the regulations, to the benefit of the Civil List Pension Fund;"

and, if so, whether he will state when, and by whom, the regulations in question were made; and, further, whether he will lay a copy of these regulations upon the Table of the House?

*THE FIRST LORD OF THE TREASURY (Mr. W. H. SMITH, Strand, Westminster): The hon. Member for Huddersfield has correctly quoted part of a correspondence; but I would refer him to a further letter, in which the Society of Authors was told that the Civil List Pension Fund was administered strictly under the terms of the Act 1 Vict., c. 2, sec. 6. The section is as follows:—

"And whereas it was resolved by the Commons House of Parliament, on the 18th day of February, 1834, 'That it is the bounden duty of the responsible advisers of the Crown to recommend to His Majesty for grants of pensions on the Civil List such persons only as have just claims on the Royal beneficence, or who, by their personal services to the Crown, by the performance of duties to the public, or by their useful discoveries in science and attainments in literature and the arts, have merited the gracious consideration of their Sovereign and the gratitude of their country;' and whereas it is expedient that provisions should be made by law for carrying into full effect the said resolution, and for giving an assurance to Parliament that the responsible advisers of the Crown have acted in conformity therewith; be it therefore enacted that the pensions which may hereafter be charged upon the Civil List revenues shall be granted to such persons only as have just claims on the Royal beneficence, or who, by their personal services to the Crown, by the performance of duties to the public, or by their useful discoveries in science and attainments in literature and the arts, have merited the gracious consideration of their Sovereign and the gratitude of their country; and that a list of all such pensions granted in each year ending the 20th day of June shall be laid before Parliament within 30 days after the said 20th day of June in each year if Parliament shall be then sitting, but if Parliament shall not be then sitting, then within 30 days after the next meeting of Parliament."

The regulations alluded to should more properly be described as "notes on practice." They were compiled many years ago, and I am not prepared to produce them. The administration of the fund is left to the discretion of the First Lord, subject only to the provisions of the Act above-mentioned and to Her Majesty's approval. The hon. Member will see by that Act pensions are to be given only to those who "have merited the gracious consideration of their Sovereign" or "the gratitude of country." In considering the claims of necessitous persons for pensions within the comparatively small amount at the disposal of the First Lord, regard is had to the nature of the services to the Sovereign and the country which constitute the ground on which the claim is based, and in respect to literature it has been held that those departments of study and research which add to the stock of knowledge, but which are frequently unremunerative to the writers, constitute a stronger claim on the bounty of the State than the authors of novels possess, who, while they contribute largely and most usefully to the recreation of the public, are believed, as a rule, to obtain a considerable pecuniary return for those labours if their works possess merit.

MR. BRYCE: Have any regulations been made within the last ten years with regard to these pensions; and will the right hon. Gentleman produce the particular regulation with regard to novels?

*MR. W. H. SMITH: I am not prepared to lay these notes of private secretaries, which have been made in past years for the guidance of the Minister responsible, on the Table of the House. No new regulation has been made. Great responsibility in these matters rests with the First Lord of the Treasury for the time being, and I trust that it is properly exercised.

EIGHT HOURS BILL FOR MINERS.

MR. CUNINGHAME GRAHAM I beg to ask the First Lord of th Treasury if it would be possible, before the end of the Session, to give a short time for the discussion of the Eight Hours Bill for Miners.

*MR. W. H. SMITH: I believe the hon. Member may find an opportunity,

if he desires one, on the closing days of the Session.

COLDBATH FIELDS PRISON.

MR. LAWSON (St. Pancras, W.): I beg to ask the Postmaster General whether there is any truth in the report that building has already been commenced on the site of the Coldbath Fields Prison for the purposes of the General Post Office?

*MR. RAIKES: The Post Office commenced taking possession of the old prison premises at Coldbath Fields in August, 1887; and the whole of the site and buildings are now occupied for Post Office purposes, except a small strip at the South Eastern corner, which has been sold to the County Council to widen the street. The Department has already, with the sanction of Parliament, expended about £14,000 on the premises.

MR. LAWSON: I wish to ask the Secretary of State for the Home Department whether, under the provisions of the Act 26 Geo. 3, c. 55, the Coldbath Fields Prison was erected out of money raised on the security of the Middlesex County Rate; and, if so, whether the land ought not to be devoted to the public use of the Metropolis?

MR. MATTHEWS: Coldbath Fields was erected with money borrowed on the security of the county rates; but the Prisons Act of 1877 prescribes what shall be done in the case of a discontinued prison, and the refusal of the Justices to acquire the site precluded the application of the Housing of the Working Classes Act, 1885, and left the Government without any power under the statutes to devote the land to such public use as the hon. Member suggests.

MR. LAWSON: May I ask by what authority any building has been commenced on this land without the sanction of Parliament?

*MR. RAIKES: The money raised on the security of the rates was expended on the prison.

MR. LAWSON: By what authority has the land been devoted to any other purpose?

*MR. RAIKES: It has been transferred by the Home Office to the Post Office.

POSTAL ARRANGEMENTS IN IRELAND

MR. MAHONY (Meath, N.): I beg to ask the Postmaster General whether he can state on how many occasions since 17th January, 1889, the mail train, timed to leave Dublin at 7.40 a.m., has missed the train timed to leave Limerick Junction at 10.20 a.m.; whether he is aware that the result of so missing is to delay the mails to Rathkeale, Newcastle, West Abbeyfeale, Listowel, and Tralee at least six hours, and that considerable delay is also caused on the Ennis line; and whether, having regard to the great inconvenience caused, he will press on the respective railway companies the advisability of limiting the time by which the departure of the 7.40 a.m. should be delayed owing to the non-arrival of the cross-channel mails, and causing the departure of the 10.20 a.m. from Limerick Junction to be delayed for a similar period when the necessity arises?

*MR. RAIKES: During the period from the 17th January last to the 1st instant the mail train to which the hon. Member refers has on four occasions missed the train leaving Limerick Junction at 10.20 a.m., with the result described. The failure was due on one of these occasions to accidental causes; but on the other three to the late arrival of the 7.40 a.m. train from Dublin. The time by which this train may be kept waiting for the English mails is already limited to half an hour, and it would be highly inconvenient to diminish that limit. The 10.20 a.m. train from Limerick Junction is kept waiting for a short time in the event of the Dublin train being late; and the question whether it might be detained longer, to which course, however, the railway companies are known to see objections, shall be again examined.

IRELAND—TRAMORE PIER.

MR. P. J. POWER (Waterford, E.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland what facilities the Government intend giving the people of Tramore, County Waterford, to enable them to provide a much-required fishing pier at that place instead of the one destroyed some time since, which was built partly by local contribution, but constructed by the Board of Works according to plans now

generally acknowledged to have been defective?

*MR. JACKSON: No representation as to the necessity of a new pier has been received, nor has any proposition been made as to the liability the locality is willing to assume if it were decided to construct one.

TELEGRAPHIC COMMUNICATION TO ORKNEY.

MR. LYELL (Orkney and Shetland): I beg to ask the Postmaster General whether he has considered the desirability of extending the telegraphic communication to Pierowall, Westray, in the County of Orkney; and, if so, can he say when this much desired improvement will be carried out?

*MR. RAIKES: The question of extending the telegraph to the Island of Westray has more than once been brought before me; but as it is estimated that the receipts would not equal the expenses, I am precluded by Treasury Regulations from making the extension unless a guarantee be given to secure the Post Office against loss.

THE NEATH AND BRECON RAILWAY.

SIR HENRY HUSSEY VIVIAN (Swansea District): I beg to ask the President of the Board of Trade whether it is a fact that all traffic was suddenly stopped on the Neath and Brecon line on Saturday last; and, whether he has taken, or can take, any steps to procure the resumption of traffic, and thus to obviate the great loss and inconvenience to which persons using the line between Swansea, Morriston, and Brecon, and between Neath and Brecon, both as passengers and for the transmission of goods, have been exposed?

SIR M. HICKS BEACH: The Neath and Brecon line was worked by the Midland Railway Company up to June 30 last, when they ceased to carry traffic over the line in consequence of their failure to obtain satisfactory terms for a renewal of the agreement. The Board of Trade have received several complaints as to the inconvenience caused by the discontinuance of traffic. They have no statutory powers in the matter; but I have communicated with the two companies, and I am happy to be able to state that the Neath and Brecon Company have succeeded in establishing a service of goods and mineral trains between Brecon and Ynisgeinon Junction, and that passenger traffic was resumed last Saturday.

GRANTS FOR POLICE CHARGES.

SIR HENRY HUSSEY VIVIAN: I beg to ask the Secretary to the Local Government Board whether it is a fact that no contribution will be made by Government in respect of police and other charges for which grants were made to Local Authorities, before the passing of the Local Government Act, for the period between the 29th September, 1888, and the 1st of April, 1889, but that the payment of such contributions will be thrown on the County Councils, although they will not be entitled to receive the proceeds of the taxes transferred to them for the above-named period, being only entitled to such proceeds from and after the 1st April, 1889; if so, out of what funds the County Councils are to pay the arrears which will thus be entailed upon them by the transfer to them of a liability which ought to have been met by the Government; and, whether he will move the Chancellor of the Exchequer to provide, by a Supplemental Vote or otherwise, for the payment to Local Authorities of all sums due by the Government between the 29th September, 1888, and the 1st April, 1889, so that the County Councils may commence their administration of local finance without being burdened with a debt which accrued before they came into existence?

THE SECRETARY TO THE LOCAL GOVERNMENT BOARD (Mr. LONG, Wilts, Devizes): Questions to the like effect of this have on several occasions been answered during the present Session. No contribution will be made by the Government in respect of police and other charges for which grants were made to Local Authorities before the passing of the Local Government Act for the period between the 29th of September, 1888, and the 1st of April, 1889, and it will devolve on the County Councils to make the payments in substitution for the Parliamentary grant which otherwise would have been payable during the current year. The County Councils have had ceded to them certain License Duties and Probate Duty for the purpose of enabling them to meet the charges in respect of discon-

tinued grants which, if they had not been discontinued, would have been paid by the Government during the present financial year. It has always necessarily been the case that the grants have been paid in a financial year subsequent to that in which a portion of the expenditure has been incurred; and no claim will fall upon the County Councils on account of discontinuing grants in the present year, which, if the grants had been continued, would not have been a charge on the current year. No charge will therefore fall upon the County Councils which ought to have been met by the Government, and for the reasons already mentioned the payments in question are not in the nature of arrears. Under the circumstances, it appears to be obvious that the Government cannot undertake, whilst they cede revenues in the current year in substitution for discontinued grants, to also pay the grants in respect of which the revenue has been ceded.

THE LANCASHIRE COUNTY COURT.

MR. H. H. FOWLER (Wolverhampton, E.): The First Lord of the Treasury will remember that on Tuesday last I put a question to him as to the resignation of the County Court Judge of Circuit No. 5 in Lancashire. I was told that the Judge in question had not sent in his resignation, and that inquiries would be made as to the division of the Circuits, when a vacancy occurred. I find now that the resignation has taken place; that the vacancy was filled up on Thursday; and that the name of the new Judge was announced in the newspapers on Friday.

*MR. W. H. SMITH: I am informed that the district in which the vacancy occurred is one of very great commercial importance, and that my noble Friend the Chancellor of the Duchy found himself compelled to fill it up.

ASSAULTS ON IRISH POLICEMEN.

In reply to Mr. T. W. RUSSELL,

MR. A. J. BALFOUR said: It is true that a very serious assault was made on two police officers at Waterford on Saturday night, and that seven persons have been charged with the assault before the Magistrates, and remanded, bail being refused. Dr. Conolly reported on Saturday that both officers were in a critical condition; but I understand to-day that one is better, and that there is no reason to despair of the life of the other.

MR. SEXTON: Was it an assault of a serious character, or an ordinary brawl?

MR. A. J. BALFOUR: I am unable to add anything to the answer I have already given?

THE COMMITTEE ON ROYAL GRANTS.

MR. LABOUCHERE (Northampton): I wish to ask the First Lord of the Treasury when he proposes to give notice of the names of the Members of the Committee on the Royal Grants; and whether any opportunity will be afforded of putting down Amendments?

*MR. W. H. SMITH: I hope to be able this evening to place on the Paper the names of the Committee, and the Motion for the appointment of the Committee will be taken to-morrow.

MR. LABOUCHERE: Is not the right hon. Gentleman aware that if an hon. Member desires to alter one of the names proposed it will be necessary to give notice beforehand?

*MR. W. H. SMITH: Any hon. Member can obtain from the Clerk at the Table the information to enable him to do so if he desires.

MR. STOREY (Sunderland): Does the right hon. Gentleman mean to give us such notice of the number of the Committee as will enable us, in accordance with the regulations of the House, to give notice of Amendments thereto?

*MR. W. H. SMITH: I wish to act in accordance with the wish of the great majority of the House, and with perfect fairness to hon. Members who may have any reason to differ from the view of the Government. But it appeared to me, looking at the period of the Session, that it was desirable we should proceed with reasonable speed in the consideration of this question. I will put the names on the Paper this evening. They will be in the possession of the Clerks at the Table at an early hour, and any hon. Gentleman who may wish to see those names will at once be furnished with them. Then it will be in the power of any hon. Member to give notice of any opposition or change he may desire. But if it is desired by the great majority of the House that the nomination should be postponed I should yield, although I think it would

be much more to the general convenience that we should proceed.

SIR J. GOLDSMID: Would it not be possible for the right hon. Gentleman to give the number and the names of the Committee now?

*MR. W. H. SMITH: I am sorry to say that I have not received the names from the usual sources of information.

THE INDIAN BUDGET.

MR. BRADLAUGH: Will the First Lord of the Treasury say when the Indian Budget will be taken?

*MR. W. H. SMITH: I am aware of the interest the hon. Gentleman takes in the question; but I am not in a position to make any statement in regard to it.

MERCHANT SHIPPING (PILOTAGE) BILL. (No. 243.)

Reported from the Standing Committee on Trade, &c.

Report to lie upon the Table, and to be printed. (No. 239.)

Minutes of Proceedings to be printed. (No. 32.

Bill, as amended in the Committee, to be taken into consideration upon Monday next, and to be printed. [Bill 312.]

NEW WRIT.

For the Borough of Dover *v.* Major Alexander George Dickson, deceased.

NEW MEMBER SWORN.

Augustine Birrell, esquire, for the County of Fife (Western Division).

THE ARREST OF MR. W. O'BRIEN, M.P

MOTION FOR ADJOURNMENT.

MR. W. O'BRIEN (Cork, N.E.): I beg leave to move that the House do now adjourn, in order to consider a definite matter of public interest—namely, the conduct of the Irish Constabulary in firing upon defenceless persons at Charleville without necessity.

*MR. SPEAKER: Order, order! I must decline to put that Motion to the House. The hon. Gentleman was good enough a few minutes ago to give it to me, and intimated it was distinctly a new point, different from that which had been raised on a previous occasion. The House will remember that on the 1st of July the right hon. Gentleman the Lord Mayor of Dublin (Mr. Sexton) raised the question affecting not only the proclamation of the Cork meeting but the arrest and prosecution of Mr. William O'Brien. But the point now proposed to be raised by the hon. Gentleman was specifically gone into in the speech of the right hon. Gentleman, and was repeatedly alluded to by hon. Gentlemen who followed; and though it may be alleged the information before the House was insufficient at that time, and that it was desirable to discuss the matter at a subsequent period, it by means follows it is a matter of urgent public inportance which should be discussed on the Motion for the adjournment of the House, nor did I even contemplate it could be done in that manner. I believe it would be contrary not only to the form but to the spirit of the Standing Order, and I shall take upon myself the responsibility of not putting it. Of course, on the proper occasion the hon. Gentleman can raise the point he proposes to raise. If any new information has come to his knowledge of course it will be competent to him to raise the whole question on the proper occasion—namely, in Supply.

MR. SEXTON: Do I understand you, Sir, to rule that because the proceedings at Charleville were incidentally referred to in the debate last Monday, therefore my hon. Friend is now shut out from referring to incidents which were not included in the Motion?

*MR. SPEAKER: I say the proceedings at Charleville were specifically over and over again alluded to. The questions as to who fired the shots, where the shots came from, the responsibility of the Constabulary, and the responsibility of the crowd then assembled, were specifically gone into. It was admitted that full debate could not take place, because full information was not before the House. I say that that having been discussed, it would be contrary to the meaning and spirit of the Standing Order that because more information has come before the House, or to the knowledge of hon. Gentlemen, hon. Gentlemen should raise the matter in this particular form. I am not at all saying that the matter may not be properly raised. Of course,

it can be raised on the proper occasion —namely, on a Vote in Supply.

MR. W. O'BRIEN: Of course, Mr. Speaker, I bow to your ruling; but as there appears no opportunity for me to discuss the question in Supply, I shall ask the leave of the House to make now a personal statement. Inasmuch as I was an eye-witness of the occurrences at Charleville, and inasmuch as my own veracity and honour are very deeply concerned, I shall try to do it as briefly as I can, and I shall confine myself entirely to what occurred at Charleville. Seven armed policemen were in the first-class compartment in which I travelled from Cork, and there were eight more in a neighbouring compartment. When we came to the Charleville platform there was no cheering and no commotion. There was a band at the far end of the train, where some persons belonging to Charleville, who had been in Cork during the day, were getting out. It was to meet these men, and not to meet me, that the band came. If I could go into it I have most overwhelming testimony that it was impossible for the crowd at Charleville that night to have known either that I was arrested, or that I was in the train. I was arrested only at a quarter to ten o'clock at night, and the telegraph office at Charleville had been closed from ten o'clock in the day. The best proof that the people could not have known I was there was that even the Charleville police there did not know it, and there were no Charleville police on the platform. The notion that the bandsmen there that evening knew I was there, or made any organized attempt at a rescue, is demonstratively false, and absurd and impossible, and really it makes one almost despair of proving the plainest truths when such a story can be put forward by the police and seriously defended in this House. The first the bandsmen learned of my being in the train was what they learned from their friends who travelled down by the same train. They had played two tunes on the platform without any cheering at all before they learned I was in the train. Then, when they did learn it they did hurry along the platform to give me a cheer, and to shake hands with me. I cannot imagine how any man in his senses could think for a minute they meant anything more desperate. Arrests of this kind are of every day occurrence in Ireland. Men so arrested are considered as objects of congratulation, and certainly not objects of desperate attempts at rescue. The crowd knew thoroughly well I would be released on bail in a couple of hours afterwards—as, in point of fact, I was. It is really hard to treat with common patience the theory that these few band boys—a hundred at the outside, according to the police estimate—would make a desperate attempt to rescue me from a body of policemen armed to the teeth, with a perfect knowledge that the police would be bound to shoot me rather than give me up. The story the House is now asked to believe, contrary to any distinct public statement, is that these bandsmen played two tunes, and then commenced this desperate rescue by firing shots into a narrow railway compartment in which I myself must have been the first to receive the bullets, if any had been fired. It is a woeful sign of the demoralization of the Irish police that they should attempt to put forward a story of this kind, and obtain credence for it in this House, not only against my statement, but the statement of every civilian present, and against common sense. Let me explain what actually happened. The people tried to get a look at me. The blinds had been fastened down, and they could only identify the compartment by a window having been broken—it was broken at Mallow, where we were within an ace of wanton bloodshed, owing to the excitement of the police officer, Mr. Concannon. When they could not see me, the blinds being down, they opened the door of the carriage in the ordinary way to have a look at me. That was their one whole and sole offence during the night, and that was the offence for which a police officer, in an extraordinary state of excitement, pulled out his revolver and said, "load." One of the policemen said, "We are loaded already." I should like to know whether the police will deny it; and if they do not, what a picture of the state of discipline amongst the Irish Constabulary it exhibits. Two of the policemen fired their revolvers, one without orders, one without the Inspector's knowledge. The very instant the people opened the door the policemen thrust the muzzles of their rifles

Mr. Speaker

in the people's faces. The people fell back, the door was slammed to by Mr. Concannon. The people cheered and groaned, but did nothing under Heaven in the way of violence. A minute or two elapsed, and a ticket collector came and asked for tickets. Mr. Concannon instantly seized him, and said, "We have no tickets." The ticket collector was trying to understand what Mr. Concannon, in his excitement, was saying, when Mr. Concannon throttled him and flung him out with all his force, and the door was slammed to again. It was at that moment, and only then, that the slightest bit of disorder on the part of the people of Charleville occurred. At that moment a pane of glass in the door was broken. It was broken, as I believe, either with a stick or with one of the musical instruments, because no missile of any sort or kind came into the carriage that night. On the instant, without one word of warning, Mr. Concannon discharged his revolver through the window right in the face of the people. I had barely time to say, "My God, are you going to murder the people?" when two other revolver shots were fired just beside me—at my ear—by two sergeants of police, whom I can identify. No other shot was fired, and no shot could possibly have been fired from the outside. The train was actually moving when the second and third shots were fired; so that if there had been any danger of rescue, or any danger to human life, there was no excuse for the second and third shots. But, as I hope for mercy from the Almighty, there was not for one instant that night a bit of danger to the life of anyone. It is a shameful and wicked fabrication, and it is a most——

*MR SPEAKER: Order, order! I have given the hon. Gentleman great latitude in making his statement. That statement might fairly be made on the Motion for adjournment; but I think the hon. Gentleman ought to content himself with a plain narrative of his own impressions, and not to make charges which cannot be answered now. It is unfair that he should make anything more than a formal statement at this time.

MR. W. O'BRIEN: I at once accept that suggestion. Perhaps I have travelled outside a mere narrative of the facts. I should like, however, to complete that narrative. As soon as the shots were fired—and I shall only tell the House what took place between the policemen and myself—I said, "If human life has been lost, if those shots have taken effect, the most cold-blooded murders ever committed have been committed." District Inspector Concannon then said, "They are after firing at us. I thought at first they were stones. We must search the carriage for the bullet marks." I said, "In God's name, are you really serious? You know well that only three shots have been fired, and that these were fired by your own policemen." "No," he said, "the police only fired two shots." "Ask your men this moment," I said; and he did ask them all round the carriage. The four policemen said they had not fired; and the two sergeants admitted, then and there, that they had discharged their two revolvers as well as the District Inspector. I then said to him, "What becomes of your statement that others had fired?" and then and there I appealed to the policemen in that carriage and said, "If you are honest men I call on you to witness that it is now admitted that only three shots were fired, and that one of them was fired without orders." Not one of them said a word against it. The District Inspector said, "The police do not lie," although he at that moment had been contradicted by one of his own sergeants. I again and again challenged them to point to injury of any sort that any of them had received in the carriage, and the only answer that could be made was that the District Inspector pointed out to me a dent in his helmet. I said, "Do you consider that a sufficient justification for taking away three human lives?" Whereupon one of the sergeants said, "There is no harm done." I said, "If there is no harm done it is no fault of yours." Mr. Concannon said, "We had to defend our lives." I asked what risk they had run, which I had not run also, and he said, "Well, we had to defend your life also." It was almost more than human nature could bear; but I think I did say to him, "You know thoroughly well my life was never in danger, nor yours either; and that I had rather that a bullet had been put through me than that you should fire on these people."

*MR. SPEAKER: Order, order! The hon. Gentleman is now certainly preju-

dicing the case by the statement he is making, and I do not think he ought to continue that line of argument.

MR. W. O'BRIEN: I am giving a narrative.

*MR. SPEAKER: Order, order! I must——

AN HON. MEMBER: Shame.

*MR. SPEAKER: Order, order! That was a shameful expression to use. I allowed the hon. Gentleman to have sufficient latitude to make a personal explanation.

MR. W. O'BRIEN: Might I——

*MR. SPEAKER: Order, order! The hon. Gentleman is making charges which cannot now be investigated, and cannot now be answered. And I say there is something unfair in putting forward charges to which there can be no answer now, because of the opportunity he has taken. When the proper time comes these charges may be repeated and may be answered—of course I cannot tell with what result. But it is not fair at the present moment, when the hon. Gentleman is debarred by the Rules of the House from making a statement on a Motion for Adjournment, that he should make the same statement as a personal explanation.

MR. W. O'BRIEN: I respectfully submit, Sir, that I have made no charge whatever.

*MR. SPEAKER: If the hon. Gentleman wishes to make any further personal explanation strictly of that nature I shall not prevent him.

MR. W. O'BRIEN: Certainly, Sir. I am confining myself to a narrative of what actually occurred between myself and the policemen on that night in reply to a statement in the most fearful manner impugning the accuracy of my public statement. I have stated precisely what I mentioned to the police officers that night; and I submit that I have a right, with the permission of the House, to complete the narrative of what occurred between the policemen and myself. If I have not that right I will sit down.

*MR. SPEAKER: The hon. Gentleman has had full latitude—much fuller latitude, perhaps, than I ought, in the first instance, to have allowed him, inasmuch as he would have been contravening the Standing Order by making the Motion. I have allowed him full opportunity for a personal explanation; and I think the matter ought to rest there.

MR. W. O'BRIEN: Well, Sir, I will not attempt to pursue the matter further.

MR. PARNELL (Cork): I wish to ask the First Lord of the Treasury whether, in view of the statement which has been made by Mr. Speaker, an opportunity will be afforded of discussing the question on the Vote for the Constabulary; whether the right hon. Gentleman will take the Constabulary Vote at an early date, so as to give my hon. Friend an opportunity of going fully into this matter and laying it before the House?

*MR. W. H. SMITH: I will consider the request which has been made to me by the hon. Member, and give him an answer to-morrow. But, as it appears to me, I should be departing from the arrangement of business which has been laid down if Supply were allowed to interrupt the progress of the Local Government (Scotland) Bill. The Constabulary Vote will, however, be taken as the first of the Irish Estimates; and I hope that will be in time.

MOTIONS.

—o—

AUDIT (ARMY AND NAVY ACCOUNTS) BILL.

On Motion of Mr. Jackson, Bill to make provision for the Audit of the Manufacturing and Shipbuilding and other like Accounts of the Army and Navy, ordered to be brought in by Mr. Jackson, Mr. Forwood, and Mr. Brodrick.

Bill presented and read first time. [Bill 314.]

REVENUE.

On Motion of Mr. Jackson, Bill to amend the Law relating to the Customs and Inland Revenue, and for other purposes connected with the Public Revenue and Expenditure, ordered to be brought in by Mr. Jackson, and Mr. Chancellor of the Exchequer.

Bill presented and read first time. [Bill 315.]

ORDERS OF THE DAY.

—o—

COURT OF SESSION AND BILL CHAMBER (SCOTLAND) CLERKS BILL. (No. 290.)

Order read, for resuming Adjourned Debate on Question [1st July], "That the Bill be now considered."

Question again proposed.

Debate resumed.

MR. CALDWELL (Glasgow, St. Rollox): This Bill has been read a second time, but without any discussion,

although it contains some very important principles. Its object is to enable Civil servants in the Court of Session to be transferred from one Court to another without any compensation. In Scotland there are several independent Courts, which are as distinct from each other as the Law Courts in England, although they are practically under the same building. The change proposed is of a very sweeping character, inasmuch as the clerks are at present subject only to the jurisdiction of their own Courts. I am not going to dispute the principle upon which the Bill is based. It may be a very correct principle that the clerks of one Court should be allowed to be transferred to another Court without receiving any compensation. But I say that if this principle is to be applied in Scotland it ought also to be applied in England. The intention of the Government is that these clerks in future are not to receive any remits from the Lord Ordinary; but that they must be entirely dependent upon the salary attached to their appointment. I do not dispute the principle on which the measure is based; but I submit that if that principle is to be applied to Scotland, it should also be equally applied to England. If the principles which the Bill proposes to apply to the Clerks in the Court of Session were applied equally to Civil Servants in all parts of the United Kingdom, I would not object, but this is notoriously not the case. With a view of obtaining some declaration from the Government, I have put some Amendments on the Paper, and I beg now to move the omission from Clause 1 of the word "alterations," in order to insert "arrangements."

*MR. SPEAKER: The Amendments will come on after the Motion is agreed to that the Bill be now considered.

Question put, and agreed to.

Bill, as amended, considered.

MR. CALDWELL: I beg to move the first Amendment which stands in my name on the Paper.

Amendment proposed, in page 1, line 29, to leave out the word "alterations," and insert the word "arrangements."—(*Mr. Caldwell.*)

Question proposed, "That the word 'alterations' stand part of the Bill."

THE LORD ADVOCATE (Mr. J. P. B. ROBERTSON, Bute): I am unable to accept the Amendment. At present the staff of clerks in the various Courts constituting the Court of Sessions are upon such a footing that there is no organization or correlation between them in the discharge of their duties. This has involved considerable loss of economy in time and labour. Each clerk is paid a salary, and is pledged to devote his whole time to the public business; and it is most desirable that some managing power should be able to assign clerks to Courts where there is a congestion of work, and remove them from Courts where there is little to do. It is clear that the managing power should be able to alter as well as arrange the distribution of the work, and therefore I cannot accept the hon. Member's Amendment.

Question put, and agreed to.

MR. CALDWELL: The object of my next Amendment is to provide that the official *status* of depute clerks of Sessions, as principal clerks in the Courts of the Outer House, shall not be affected by any of the transferences to which the Lord Advocate has alluded; but that the clerks shall be as independent as any of the clerks in the Superior Courts. If there is any transference of the labours of these officials it should be done in such a way as not to interfere with their official *status*.

Amendment proposed, in page 2, line 1, after the word "that," to insert the words—

"Nothing herein contained shall affect the position of the depute clerks of Session as principal clerks in the courts of the outer house to which they are attached, and that."—(*Mr. Caldwell.*)

Question proposed, "That those words be there inserted."

*MR. J. B. BALFOUR (Clackmannan and Kinross): I hope that my hon. Friend will not think it necessary to occupy the time of the House by discussing this Bill. I can assure him that he is moved by fears which are entirely without foundation. I agree with what the Lord Advocate has said in regard to the object of the Bill, and the manner in which that object is proposed to be carried. These matters were all gone into very fully by the Grand Committee,

and not a single person who was conversant with the subject had the slightest doubt as to the propriety of these clauses. The Bill, as it stands, will not alter the status of these gentlemen.

Question put, and negatived.

MR. CALDWELL: I beg to move, in Clause 5, page 4, line 26, at the end, to add "or for special duties performed under any remit from Court." It is a well known fact that at the present moment the Lords Ordinary remit matters to the clerks for investigation, and they receive remuneration for the special services rendered. It is proposed by the Bill to take away the power of making these remits by the Judges to the clerks, and to require every clerk to devote himself to his own particular duties. All I ask is that, if that is to be done, the same principle shall be generally applied.

Amendment proposed, in page 4, line 26, after the word "Parliament," to add the words "or for special duties performed under any remit from Court."—(*Mr. Caldwell.*)

Question proposed, "That those words be there inserted."

*THE SOLICITOR GENERAL FOR SCOTLAND (Mr. M. T. STORMONTH DARLING, University of Edinburgh and St. Andrew's): Allow me to point out to the hon. Member that the Bill as it stands reserves the right of the clerks to receive additional remuneration from the Treasury for extra work imposed on them by Act of Parliament.

Question put, and negatived.

MR. J. P. B. ROBERTSON: I beg to move that the Bill be read a third time.

Question, "That the Bill be now read the third time," put, and agreed to.

Bill read the third time, and passed.

JUDICIAL FACTORS (SCOTLAND) BILL
(No. 291.)

Order for Consideration, as amended, read.

Motion made, and Question proposed, "That the Bill be now considered."

DR. CAMERON: I wish to point out that a large number of Amendments to the Bill appear upon the Paper, and I would suggest that as they would probably occupy the House until a late hour it would be better to proceed at once to the consideration of the Scotch Local Government Bill. I, therefore, beg to move the adjournment of the debate.

Motion made, and Question proposed, "That the Debate be now adjourned."—(*Dr. Cameron.*)

MR. J. P. B. ROBERTSON: I hope the hon. Gentleman will not persist in that Motion. Although a considerable number of Amendments appear on the Paper, they are mostly of a non-contentious character. The Bill has passed through the Grand Committee very expeditiously, and there is no reason to suppose it will now occupy any great length of time.

DR. CAMERON: One word of explanation. I have no desire to impede the progress of the Bill, but if it consists of non-contentious matter only it may very well be taken at some other time.

*MR. WALLACE (Edinburgh, E.): I have not the honour of being a Member of the Standing Committee of Law, but I understand from the Lord Advocate that this Bill passed through the Committee very expeditiously. I am afraid that if I had been a Member of the Committee the expedition would not have been so signal as the Lord Advocate congratulates himself upon. It is to me a matter of some surprise that the Report stage should be proposed to be taken now, and I believe that some important local bodies in Scotland will also be taken by surprise. They have no means of knowing what has gone on in the Standing Committee, but they have taken great interest in the measure, and entertain serious objections to some of its provisions.

Question, "That the Debate be now adjourned," put and agreed to.

Debate adjourned till Thursday.

LOCAL GOVERNMENT (SCOTLAND) BILL (No. 187) AND LOCAL GOVERNMENT (SCOTLAND) SUPPLEMENTARY PROVISIONS BILL (No. 188).

Considered in Committee.

(In the Committee.)

Clause 11.

Amendment proposed, in page 3, line 22, after the word "trustees," to insert the words—

"And the duty of maintaining and protecting all public rights of way over roads, drove roads, bridlepaths, footpaths, ferries, and foreshores."—(*Mr. Buchanan.*)

Question proposed, "That those words be there inserted."

*MR. BUCHANAN (Edinburgh, W.): I should like to say a single word on this Amendment to-night. The Solicitor General for Scotland said he doubted the reality of the grievance which exists in Scotland with regard to rights of way. To that I would reply that the Edinburgh Society alone, from whose secretary I had a letter to-day, has had no less than 40 applications in one year to defend rights of way that are being threatened or infringed upon in different parts of the country. The Solicitor General also took the ground that an action for right of way was one which even the poorest could bring. He knows very well, however, that in the Glendale case the proceedings lasted two years and entailed no less than three trials, one before the Lord Ordinary, one before the Inner Division, and one before the House of Lords, and in all of them considerable expense was entailed. The Lord Advocate said that it was not the duty of the County Council to levy war upon private individuals. It seems to me that to speak of the County Council putting in force the duty of defending public rights as levying war upon private individuals was a very unfortunate expression on the part of the right hon. Gentleman. My Amendment does not impose any obligation whatever of promiscuous litigation on the County Council. I have consulted the best authority I can on the subject and am perfectly ready to adopt any form of words which will show that, or to insert in the Amendment such words as "if they think fit," so as to give the Council a discretion. I hope, however, the Government will see fit to adopt the Amendment and to impose upon the County Councils a duty which there is a very great demand should be placed upon them.

*MR. MUNRO FERGUSON (Leith, &c.): I should like to impress on the right hon. Gentleman the Lord Advocate the importance of making some concession to public opinion in this matter. In the Highlands, which are the parts of Scotland with which I am best acquainted, there has been of late years a considerable losing of rights of way. The extent to which this has been done may have been in some cases exaggerated, but I do know of cases where rights of way have been lost, and the movement in defence of rights of way has been accelerated by the formation of deer forests. I have always thought that to place in the hands of the County Authorities the power of seeing that rights of way do not lapse is the most moderate proposal that could be adopted. Of course, the alternative is the Bill introduced by my hon. Friend the Member for Aberdeen, and I think that in the interests of the landowners themselves it would be an extremely wise measure to adopt the suggestion of my hon. Friend.

MR. FIRTH (Dundee): I am sorry the Government have not seen their way to accede to this proposal. At present the case put forward by my hon. Friends seems to be one of a right without a remedy. It is shown that in many cases in Scotland such rights have been lost, and, that being so, there ought to be some power of enforcing them. I can see no better hands in which to place the power than those of the County Council. We recollect how, in the case of Epping Forest, a great London Corporation succeeded in establishing rights which could not have been established by a private individual. I think the County Council might very well have this power.

*SIR D. CURRIE (Perthshire, W.): I venture to suggest to the Government that they should consider the Amendment. In the county which I represent there is a strong feeling on the subject. The County Council ought to have the responsibility of preventing what may be considered wrongdoing in regard to rights of way.

*THE PRESIDENT OF THE BOARD OF TRADE (Sir M. HICKS BEACH, Bristol, W.): I do not rise for the purpose of detaining the Committee on the general question, because on that I may say at once that my principal reason for opposing the Amendment is that Parliament has not thought it right to give any similar powers to County

Councils in England, and I have not heard any special reason why powers not conferred on the English County Councils should be bestowed on those in Scotland. The point to which I would wish to call attention is the last word in the Amendment—the word "foreshores." I do not think the hon. Member gave any reason for including foreshores in the proposal. In 1866 Parliament transferred the charge of the foreshores from the Woods and Forests to the Board of Trade, and I do not think it will be alleged that the Board of Trade have not exercised their rights over the foreshores in the way the hon. Member who moves this Amendment and those who support him would desire. It has been invariably their rule to maintain the rights of the public to the foreshores as against the claims of individuals. That was, to some extent, contrary to the policy pursued prior to 1866, the Commissioners of Woods and Forests having been charged with endeavouring to make money out of the foreshores. It seems to me some reason ought to be given for intrusting what is practically the same duty to two public bodies—namely, a Government Department on the one hand, and the County Council on the other. There might be differences of opinion between these bodies, and that would lead to conflict, and if there is to be a change at all we ought to impose the duty of protecting Crown rights on one body and not on two. I have not heard any reason for making any alteration in the present law in the matter, and I do not understand why the hon. Member has included foreshores in his proposal.

*MR. D. CRAWFORD (Lanark, N.E.): I think if the remarks of the President of the Board of Trade indicate a feeling on the part of the Government in favour of compromise they are worthy of attention. I am not sure that I quite acquiesce in the view stated by the right hon. Gentleman as to the effect of the Act of 1866. The Woods and Forests still possess large tracts of foreshore as owners, and it is their constant practice to sell them to private persons, but I should be sorry to travel into a collateral issue. The main point is whether the County Councils are to have the right of vindicating public rights of way, to which the people of Scotland attach the greatest importance. As to the question why a difference ought to be made in this respect between Scotland and England, the most ample answer is to be found in the far greater liberality of owners of land in England in the matter of rights of way. In all counties in England the public have footpaths and rights of way innumerable. You can pass through whole tracts of beautiful country without molestation. In Scotland it is different. The traveller, the wayfarer, the naturalist, and others, are confined to the dusty roads, and if they are inclined for the purposes of pleasure or scientific research to leave it for a moment, they are liable to be treated as trespassers. There is no subject on which the public mind in Scotland is more unanimous and more excited than this; and the Government may well take warning from the circumstance that even the thick-and-thin brigade who choose to sit on the Liberal Benches are against them in this matter.

MR. A. ELLIOT (Roxburgh): In reference to the last observation of the hon. Member who has just sat down, I would remark that this is not the first occasion by very many on which I have opposed the Government. I would point out to the Government that the Amendment only proposes to preserve to the public rights which they now possess, and which, through the negligence of the people in the management of their own affairs—no one being specially interested—they are now frequently deprived of. I would urge the Government to accept the Amendment, at all events in substance, founding themselves on the position taken up by the Chancellor of the Exchequer in 1886. In dealing with this very question, the right hon. Gentleman said—

"I am one of those who think this question as to rights of way ought to be one of the duties of the Local Authorities as soon as they are constituted, in such a manner as must generally command the confidence of all the inhabitants of the locality in which they may be established."

As to how the work can be best done is a matter of detail, but I cannot see why the Government should not found themselves on the position already taken up by the Chancellor of the Exchequer and substantially accede to this proposal.

*MR. CHILDERS (Edinburgh, South): I spoke on the general question on Friday, and I will not repeat

what I then said. I desire merely to say that on the subject of the foreshores, I very much agree to what has fallen from the right hon. Baronet the President of the Board of Trade. The Act of 1866 was carried through the House by myself, and I am well aware of the policy that led us to propose it. The administration of the Woods and Forests in respect to some of the foreshores was very faulty, and in consequence they were transferred to the better administration of the Board of Trade. But in Scotland this transfer was not absolute, and there are serious complications which justify no interference with the present legal authorities. I would, therefore, suggest to the hon. Member who moved the Amendment to omit the word "foreshores."

THE CHAIRMAN: I am afraid I must confess to some negligence in this matter. I ought to have pointed out earlier that "foreshores" can not be included in the Amendment, inasmuch as the rights of the foreshore are Crown rights.

MR. BUCHANAN: Do I understand you, Sir, to strike out the word?

THE CHAIRMAN: Yes.

MR. R. CHAMBERLAIN (Islington, W.): If I may, as an English Member, intrude into the sacred domain of Scotch local government, I would appeal to the Government to accept the Amendment. This is not exclusively a Scotch subject. The rights of way in every part of this country are of interest and importance to every citizen, and we should support the Amendment for an additional reason—namely, the one urged against it by the right hon. Baronet the President of the Board of Trade, because if these powers are tried experimentally in Scotland, I feel sure that subsequently the same duties will be imposed on the English County Councils, and performed by them with considerable advantage to the public at large. There is every reason why powers should be given to the Scotch County Councils. In the first instance, looking at the sparse population of the country as compared with that of England, and to the fact that the poorer people have not the same opportunity to protect their rights that they have here. We have our Commons Preservation Society, a powerful and wealthy organization; and we have in every town either a branch of that or some foot-paths society, and by these means the rights of the public are jealously watched. But even in this country I know, from personal experience, these societies carry on their functions under great difficulties, and frequently are unable to go as far as they would wish owing to want of funds. The Government should accept this Amendment or some modification of it, to put the custody of popular rights of way and the rights of the public over commons in the hands of a popular representative body.

THE PRESIDENT OF THE LOCAL GOVERNMENT BOARD (Mr. RITCHIE, Tower Hamlets, St. George's): I desire to point out that not only is this Amendment not in accordance with the English Act, but it is in direct antagonism to the course which the House took with reference to this particular question in the debates on the English measure. An Amendment of a very similar character stood in the name of the hon. Member for Camborne (Mr. Conybeare), but when it came on the hon. Gentleman did not even press it to a Division, and, so far as I remember, there was not one word said in Committee on the proposal. A question somewhat germane to this arose also with reference to roadside wastes, and ultimately the Committee declined to charge the County Councils with any more authority or power in matters of this kind than was already possessed by the highway authority. The Committee declined to make the Local Government Bill the vehicle for imposing large additional duties—duties not imposed on any public authority by the existing law—on the County Councils; and I think rightly so. The Lord Advocate put the case very strongly. He said that if the County Councils were to be charged with a sort of roving Committee to inquire into all asserted rights of way and with the duty of bringing actions in Courts of Law where they believed the rights of the public had been infringed, it would form a popular cry at elections. ["Hear, hear."] Yes, hon. Gentlemen opposite appear to regard such a position with satisfaction, but I must say I should regard it as a misfortune if the County Council elections were to turn upon one particular point.

This question will overshadow all other larger questions which have to be dealt with by the Councils. It cannot be too much borne in mind that we do not profess more in this Bill than in the English Bill, to set at rest all the points that occur to a man's mind in connection with the change in the law. We do not say that the law is precisely what we desire so far as this question is concerned; but we do say that we think the matter one which ought to be dealt with by itself, and not as part of a large and comprehensive measure like this. These are the considerations that actuate the Government in asking the Committee not to accede to this Amendment.

*Mr. A. L. BROWN (Hawick): I do not think the right hon. Gentleman advances his case very much by stating that if a certain thing has not been introduced into the English Act it ought not therefore to be introduced into the Scotch Bill. Instead of inducing the Scotch Members to agree with the course taken by the Government, that is the very thing to set our backs up. The Solicitor General and the hon. Member for Dumbartonshire have stated that this proposal is not required in Scotland. I do not wish to offend, but they tempt me to say that they are Scotchmen living in Scotland who do not know what is going on in their own country. The hon. and learned Gentleman the Member for Inverness appears to understand the matter a little better than some other Scotch Members. He was discouraged at seeing an absence in Scotland of the rights of way which you so abundantly possess in England. If any one asks why is it that there are more rights of way in England than we have in Scotland, I would say it is mainly because England is the more populous country, and if any one tries to stop rights of way in England the people object and remove the obstruction that may have been set up; whereas in Scotland, especially in most of the rural districts, the population is so small that perhaps there are only 40 or 50 persons using a particular path or road, and when the laird stops that up they do not care to take action against him, and are consequently done out of their rights. In a populous district it is the same as in England. In a district with which I am acquainted near Galashiels the laird tried to stop a right of way, and the people took objection to this action, the result being that when they sent a deputation to him for the purpose of placing the rights of the public before him, he being a good sort of fellow took a wise view of the situation, and said—"Very well; let the public enjoy their rights." I desire to see the County Councils entrusted with the duty of looking after the people's rights. It is not proposed they should be a legal tribunal to try such cases. It is proposed they should act as public watch-dogs, and take the case of the public before the Courts. I cannot but think that the language of the Lord Advocate was very unfortunate when he spoke about prying into private affairs, and levying war on individuals; and I am of opinion that the Lord Advocate could scarcely have meant what the public will believe his words to convey. I wish to call attention to the great importance of this question. Lord Cockburn says that the way to save property and to humanize the people is to have a footpath through every field. We do not ask anything quite so revolutionary as that; but we think it would be wise to try and prevent the landlords from taking away public rights belonging to the people. I can assure the Lord Advocate, as a Member not often present in this House, but being much among the people in my own county, that this Local Government Bill has, upon the whole, created very little interest in the community; but that having at last come to a point on which a good deal of interest is felt Her Majesty's Government would do well to give the County Councils the opportunity afforded by this proposal, the power to defend the rights of the public, and if he does so he will deserve and get the gratitude of the public.

Mr. PHILIPPS (Lanark, Mid): I concur with the hon. Gentleman who has just spoken in thinking the Government have made a mistake in putting forward the argument that because this proposal was not in the Local Government Act for England it ought not to be in the Local Government Bill for Scotland. But I remember that such a proposal was made in regard to the English Bill by the hon. Member for Camborne, who wished to give such powers to the County Councils, and embodied them in a clause,

which, however, was much too long, the result of it being that some of us voted on one part of the clause and some on another, and so it was lost. The argument that the proposal now made is not in the English Act was urged both by the President of the Board of Trade and the President of the Local Government Board, but I am very glad they did not get the Lord Advocate to employ it; because the right hon. and learned Gentleman has several times prided the Scotch Executive on the difference that exists between this Bill and the English Act, alluding to the fact that the Chairman of the County Council was called the "Convener," and not the "Chairman," and to other variations as between the two measures. I should like to see the Lord Advocate get up and throw his Colleagues overboard on this matter and say, "We are not going to insist on the same things as are found in the English Act," because if we are slavishly to follow the English example the Government might just as well have said—"Here is the English Act; we will put in the word 'Scotland' where necessary and call it a Scotch Bill." It has been stated that if this Amendment were carried, it would expose the landowners to a general menace as to inquiries into their rights of way; but I should like to know how there can be any real or implied menace to those who have not usurped rights which are not their own? Suppose an inquiry were to be made into the tenure of an estate; surely no injury could be done to the person who could show a good title to what he held. The only menace would be to those who were abusing the rights of others, and I say that there ought to be menace, and strong menace too, in such cases. The Lord Advocate has stated that this Amendment would lead to litigation without end. I do not think it would; but I do know that landowners who hold by bad titles very often reckon on the fact that, although the title is faulty, they are not likely to meet with much opposition, inasmuch as the people whose rights they usurp are too poor to indulge in the expense of litigation. The consequence is that the landlord is very often induced to "try it on;" whereas, if there were a public body, armed with the power to resist him, he would be more careful of interfering with public rights. If the Legislature were to give the County Councils power to stop all invasion of these rights, there would be very few such invasions in the future. The knowledge that such a power existed would be enough to bring the landlords to terms; and I say, therefore, it is because I believe the means to promote such an inquiry as is here proposed would put a stop to many encroachments on public rights, and to a good deal of litigation, that I shall vote for the Amendment.

*MR. BRYCE (Aberdeen, S.): It has been said that the question here involved is one that ought to have been introduced in a separate measure by any private Member desirous of promoting legislation in this direction; but I would remind the Committee that the Government, by the new Rules of Procedure as well as by the way in which they have appropriated the time of the House, have almost put an end to legislation on the part of private Members. Last year I introduced a Bill, the object of which was the protection of public rights of way in Scotland, and the hon. Member for Edinburgh also attempted to deal with the subject in a measure, introduced this Session; but we both found ourselves deprived of the opportunity of proceeding with those measures which we could not even bring as far as the Second Reading stage; and, consequently, we are obliged to take advantage of the opportunity afforded by the Amendment now before the Committee. I do not think that hon. Gentlemen opposite, among whom there are comparatively few Members representing Scotch constituencies, fully realize how burning a question this is in Scotland. It possesses far more interest in Scotland than such a question could produce in England, because it is one in regard to which Scotland suffers more than England. There are proportionately far fewer rights of way in Scotland, and far more of those rights of way which exist are being absorbed by Scotch than by English landlords, and more feeling is excited by what takes place. Hitherto the landowners in Scotland have had pretty much their own way, because they have relied on the greater length of their purses, which enable them to go to both divisions of the Court of Session, and afterwards, if necessary, to the House of Lords, and in this way they have been enabled to defeat the

public rights. We feel, therefore, that nothing but the concession of adequate power to some public authority can meet the needs of the case. I think the Government, when they see the tendency of public opinion in Scotland as represented in this House, would do well to give way on the question at issue and permit this Amendment to be carried.

*Mr. A. C. CORBETT (Glasgow, Tradeston): I desire to join in the appeal that has been made to the Government to give way upon this matter. The only arguments I have heard from the other side on this question are, first, the allegation that Scotland is not largely interested in the subject; and, secondly, the allegation that the question is a burning one in Scotland, and will be made a test one at the County Council elections. There may be certain narrow areas in Scotland where the people have been stirred up with reference to particular rights of way. The County Councillor for such a division might be elected on that issue, and might be disposed to promote unfair litigation on the subject; but I cannot believe that the County Councillors for other divisions would be untrustworthy on this matter, and would be willing to risk their own and their constituents' money in protecting rights of way in which their constituents had very little direct interest. It is on these grounds that I venture to urge the Government, either now or on the Report stage of the Bill, to accede to an Amendment that would be exceedingly popular in Scotland, because it would be the means of remedying a good deal of injustice in a most effectual manner.

*Mr. SHAW STEWART (Renfrew, E.): When the hon. Gentleman the Member for Hawick taunted the President of the Local Government Board with not knowing how to manage the Scotch Members, he forgot that the President of the Board is a Scotchman himself. The right hon. Gentleman threw a challenge to his countrymen that was quickly taken up. He said this question might possibly be made the battle-cry of every County Council election in Scotland, and that remark elicited loud cries of "hear, hear!" But I would put it to the Committee—would it really be an advantageous thing that this question should be made a battle-cry at all the County Council elections in Scotland? If this were so, it is inevitable that candidates for seats in the County Councils would say, "Only return me, and I will procure you a right of way." I do not think this would be a Constitutional manner in which to conduct the business of the county, and there are many matters of greater importance to which the County Councils should direct their attention. I do not stand up in any way for the landlords' interference with right of way; I think it is an iniquitous proceeding. But I do not think it happens so often as hon. Members make out. The only instance quoted in this Committee was that mentioned by the hon. Member for the Border Burghs; but he went on to tell us that so soon as the tenants spoke to him in a reasonable way, the landlord at once said there should be no interference with the public rights at all.

*Mr. A. L. BROWN: My argument was that where there is a large population it is easy to guard public rights; but that where there is a small population it is not so easy to cow the landlords.

*Mr. SHAW-STEWART: There is an Association at Edinburgh which has nothing else to do but look after rights of public way, and I recommend it to turn its attention to those thinly-populated districts. Seriously, I think the position of the Government is a logical one. This is a question which should be raised on its merits; and I object to anything being brought into this Bill which might unduly be made a battle-cry at the County Council elections, which ought to be concerned with matters of much greater urgency and importance than some isolated question of a right of way. Though I admit the importance of the subject, I still think that hon. Gentlemen have exaggerated the opportunities which landlords have, in these days of publicity, of closing rights of way; and I think it is a matter which can be dealt with apart from the ordinary business of County Councils.

*The CHIEF SECRETARY FOR IRELAND (Mr. A. J. BALFOUR, Manchester, E.): Mr. Courtney, I should not have intervened in this debate if it had not been that by far the greater amount of speaking has been averse to the course the Government has taken,

and because I think there is at least one aspect of the question which I have not heard alluded to in the debate this evening, and which was not touched upon last Friday. The hon. Member for the Border Burghs was very indignant with my right hon. Friend the President of the Local Government Board, and told him that he was incapable of managing Scotch business. The offence of my right hon. Friend was that he quoted the analogy of the English Bill. I am perfectly ready to admit that every Local Government Bill must be framed with a view to the particular condition of the country in which it is to operate, and that, therefore, it was most unsafe to attempt to cast the Scotch Local Government Bill rigidly in the mould found suitable for England. At the same time, I would urge upon the hon. Member for the Border Burghs that to say that there could not be a worse recommendation of any provision of this Bill than that it is to be found in the English Act, is carrying a very admirable spirit of nationality to a very absurd excess. My right hon. Friend asked whether you were not pursuing an inexpedient course when you introduce subjects which may come up for discussion at the elections of County Councils, and which might excite such an amount of ill-feeling as would divert the attention of the voters from the important question of obtaining those representatives who would best carry out the general business of the country, in favour of those who happen to hold very decided opinions upon what after all is a narrow issue. When that argument was used by my right hon. Friend, it was received with jeers below the Gangway opposite. But I think if you reflect you will find that my right hon. Friend was animated by a sound desire to ensure that these new County Councils should be composed chiefly of business men. That was the object which animated us in the case of the English Bill, and may it not well animate us in passing the Scotch Bill? I, for my part, should regret to see introduced into this Bill a provision which might practically result in an inferior class of County Councillors being intrusted with the management of county affairs. The right hon. Gentlemen the Member for Edinburgh and the Member for Aberdeen, and some other hon. Members, have deplored that there are so few rights of way in Scotland. I also deplore that there are not more rights of way in Scotland. I think that, no doubt, has been partly due to the unjustifiable action of owners of land in the past. It is due also to social circumstances, to which it is unnecessary now to advert. I wish to add that I entirely agree with those who say that the power of the landowner in this respect has been in some cases abused, both in Scotland and in England. But everybody knows that at the present time the land-owning class is not only a minority, but an insignificant minority, and there is not the slightest tendency, so far as I know, on their part to abuse the rights given them by law, and if there was that tendency, the class in question is far too weak to give it effect. I do not think anybody who speaks of Scotland as it is, and does not allow his knowledge of Scotland as it was to interfere with his views of the question, will deny that I have not overstated the case as between the land-owning class and the rest of the community. I, therefore, say that while undoubtedly there are two few rights of way in Scotland, the existing rights are not being abused, nor are they likely to be abused. I venture respectfully to call the attention of the right hon. Gentleman opposite to one other most important aspect of the case. My belief is that you will not benefit but injure the public if you carry this Amendment. My belief is that you would exclude the public from benefits to which they have no legal right, but which they enjoy by favour of the land owners. Are you wise in compelling an occupier or owner of land to say to himself—"I am allowing the public to pass over my land, but by and by a privilege may be pressed into a right, and the result of my good nature may be that I shall be dragged into a lawsuit by opponents who have behind them all the rates of the county. I think hon. Members will see that to compel the landlords thus to rigidly enforce their rights would deprive the public of many benefits they now enjoy. The rights the public possess were not in danger, but the proposal of the hon. Member

would be likely to deprive them of benefits which they now enjoy by favour.

Question put, "That those words be there inserted."

The Committee divided:—Ayes, 149; Noes, 176.—(Div. List, No. 181.)

DR. CLARK (Caithness): I beg to move the addition of the words—

"To take over and maintain all parish statute labour roads and bridges not scheduled in the Roads and Bridges (Scotland) Act."

The object of this Amendment is to throw upon the County Council the maintenance of those old parish roads that were not taken over by the Road Trustees under the Roads and Bridges Act, and which, though valuable, are now falling into desuetude; in some cases bridges gradually falling down because it is not the duty of any authority to maintain them, the old authority having been abolished and the new authority created by the Act not having control by reason of these roads not having been scheduled.

THE CHAIRMAN: The words as proposed by the hon. Member do not fit in with the context of the clause.

DR. CLARK: I should like to hear what the Lord Advocate has to say on the matter of the Amendment. What I would propose is the addition of such words as these, "and the old powers and duties of the County Road Trusts, and to take over all such parish statute labour roads."

THE CHAIRMAN: That is not in the least grammatical.

DR. CLARK: I think the Government will be disposed to accept the principle of my Amendment. I have not had time to formally draft the Amendment.

THE CHAIRMAN: Probably this will meet the view of the hon. Member: Line 23, to add, "including the maintenance of statute labour roads not scheduled in the Roads and Bridges (Scotland) Act."

Amendment proposed in those terms.

MR. J. P. B. ROBERTSON: The hon. Gentleman has indicated what is undoubtedly a defect in the existing Roads and Bridges Act of 1878. That Act provided that a list of roads should be made up, and it was found that, according to the wording of the Act, it was prescribed that this should be done once for all. In the result certain roads were omitted that ought to have been in the original schedule, and so did not come under the control of the new authority then constituted. I admit this ought to be put right, but I doubt whether this Bill is the proper occasion for the connection, inasmuch as what we are doing is to transfer existing control from one authority to another. I rather think this is an Amendment that should be dealt with on another occasion, though I allow it is a matter that requires attention, and the hon. Member's suggestion is not one to be lost sight of.

Amendment, by leave, withdrawn.

Amendment proposed, line 24, after "Acts" insert "and the Destructive Insects Act 1877."—(*The Lord Advocate.*)

*MR. CAMPBELL-BANNERMAN, (Stirling, &c.): Will the right hon. Gentleman take pity on our ignorance, and tell us what is meant by Destructive Insects?

MR. J. P. B. ROBERTSON: The right hon. Gentleman questioned my diction the other day, but here it is not open for criticism. I am only quoting the Parliamentary title of an Act that was passed for dealing with sundry insects that commit great ravages among crops, and it is to enforce the operation of that Act by the new authority the Amendment is proposed.

Amendment agreed to.

Amendment proposed, leave out "parochial boards as."—(*The Lord Advocate.*)

Amendment agreed to.

Amendment proposed, line 26, after "Acts" insert "of parishes so far as neither the county"—(excluding burghs and police burghs).—(*The Lord Advocate.*)

Amendment agreed to.

Amendment proposed, after the words last inserted, to insert "and Vaccination Acts."—(*Mr. Barclay.*)

MR. J. P. B. ROBERTSON: We cannot accept this change. Though vaccination is cognate to the subject of public health, yet it is dealt with by statute on a distinct and different footing. I think there is general agreement that as regards

matters dealt with under the Public Health Act power may well be intrusted to bodies having jurisdiction over larger areas than the parish. But the procedure under the Vaccination Acts is naturally a local duty of the Parochial Board subject to the review of the Board of Supervision, and I do not think it is desirable to introduce this among the County Council business.

DR. CLARK: I think it would be a very inappropriate charge. A special rate would be required and special machinery to carry it out. The duty now devolves upon medical officers for which their salary is partly paid, and you would have the anomaly of officers acting under the control of one body being paid by another.

Amendment, by leave, withdrawn.

*COLONEL MALCOLM (Argyllshire): I wish to move the Amendment, of which I have given notice, with a view of rather curtailing the power of the Central General Board of Lunacy, for at the present moment they have all the power in their hands, and the representatives of the ratepayers, as the County Council will be, will have no power at all. At present the Commissioners of Supply have simply the power of providing for any demand that the General Board of Lunacy may make, exercising their authority at the expense of the county. The District Boards have only the power of selecting and providing groceries and other stores. The words are taken from the English Act of last year, and although I am perfectly aware that the lunacy laws of the two countries are not similar, that their systems are unlike, I think something of the sort might be very judiciously introduced into this Act. It may have attracted the attention of some hon. Members, that the Lunacy Acts Amendment Bill, which is before Parliament this year, goes very much upon the lines I suggest. The Lord Advocate is perfectly well acquainted with the case that more particularly suggests the Amendment. My hope was that this would have attracted the attention of other Scotch Members, and the difficulty in which the County Authorities are placed in regard to lunacy questions, but I am afraid under the circumstances I shall not have the assistance I could wish. I, however, move the Amendment.

Amendment proposed, after Subsection 4 insert:—

"The provision, enlargement, maintenance, management, and other dealings with asylums for lunatics."

Question proposed, "That those words be there inserted."

MR. J. P. B. ROBERTSON: I am aware that in the case to which my hon. and gallant Friend refers, there was a certain amount of friction between the Central Lunacy Authority and one of the local bodies which are charged with the duty of maintaining asylums, and I also think it is quite possible that the criticisms made in the course of the discussions upon that incident upon the general system may have more or less plausibility. But I rest my opposition to the Amendment on the ground I took just now. This Amendment is directed to a change in the Lunacy Laws, but the whole scheme of this Bill, as I have said, is directed to taking systems as we find them and handing them over to the new County Authority. To make the change suggested, we should be invading the whole fabric of the Lunacy Laws and altering the relations between the Central and Local Authorities, and the subordination of the various authorities and the Central Authority, a subject wholly distinct from the scope of this Bill. On this ground, as my hon. Friend has anticipated, we cannot accept the Amendment.

Amendment, by leave, withdrawn.

DR. CAMERON: The effect of the Amendment I now have to move would be to transfer to the County Council the same powers with respect to licenses, and the control of licenses, as are now enjoyed by Magistrates in burghs in Scotland. As a matter of fact, the power that would be conveyed would be a restrictive power. Under the law as it at present stands, the new licenses in towns are applied for to the Burgh Magistrates, and if they refuse the refusal is final, so that no new licenses can be granted in burghs without the consent of the Burgh Magistrates. If they consent to the application their certificate has still to go for confirmation to the Committee of County Justices, and the confirmation of this body is necessary before the Excise can grant the new license. In the case of old licenses to be renewed, or of

transfers, a right of appeal exists from the Burgh Magistrates to the Quarter Sessions, and that right of appeal would be enlarged and would continue to exist in cases of renewals and transfers if any proposals were adopted. I do not propose to move the Amendment precisely in the form in which it appears on the Paper. I propose that the power of confirmation should be conferred on the County Council, and exercised through a committee to be appointed by the County Council as hereafter provided. I hand you a copy of the words I shall propose, Sir. I propose that the County Council shall exercise all the licensing power exercised at present by Town Councils, and as Town Councils exercise their authority through a Committee, so should the County Councils through a committee elected for the purpose. This will give a certain definite control over licenses, proceeding on the lines of existing machinery, on a system with which the people of Scotland are perfectly familiar, and which has worked well for a considerable number of years. Previously to the passing of the "Publicans' Certificates Scotland Act (1876)," it was a constant grievance that licenses refused by the Burgh Magistrates were on appeal granted over their heads by the licensing Justices. To such an extent was this carried that in Glasgow for a series of years 50 licenses per annum, refused by the Burgh Magistrates, were granted on appeal by Quarter Sessions. The result of the introduction of what was not a novel system, but of the English system, into Scotland, which gave to the Licensing Authority in the first instance the absolute right of refusal, and required confirmation from the Licensing Committee of Justices to make the grant of a new license valid, was to exactly reverse the previous state of things. Whereas before, the applicant had two chances of getting his license, under the new system there were two chances of refusal against him; he might be refused absolutely by the Burgh Magistrates, but if they granted the license he might still meet with a refusal from the Licensing Committee. Another effect would be to give the County Council, through their Licensing Committee, if my proposal were carried out, the right of shortening the hours for the sale of liquors as set out in the "Public Houses Hours of Closing (Scotland) Act." As this Bill proposes to transfer to County Councils the funds derived from the issue of licenses, it becomes a very important thing that the County Councils should have some control enabling them to prevent their districts being inundated by licenses. The Council will be an elected body directly responsible to the electors, but the new licenses will be granted by the Justices of the Peace in Licensing Sessions, and these Justices of the Peace are notorious for the manner in which they grant licenses. Every Scotch Member must have heard complaints of how, when an application for a license has been refused, the applicant and his friends revive the application at the next Session, and whip up every Justice who may be supposed to be friendly to the application, and by persistency and making application year after year, a man at last gets a Bench of Magistrates to decide in his favour and grant the license. It was the admitted evil of this that influenced the House to a large extent when the system of a Confirming Committee was adopted, and the result has borne out expectations that a small committee appointed by the Justices *ad hoc* would exercise this duty with a greater sense of responsibility, and in a more careful and uniform manner. Now, Sir, the County Councillors are to be responsible to the electors, and they will feel themselves bound to carry out their wishes. But licenses will continue to be granted by County Justices from all parts. In many instances licenses have been granted against the will of the inhabitants. At Pollokshields great indignation was recently excited by the action of the Justices in this matter; and more recently at Hillhead indignation meetings were held again and again protesting against the grant of certain licenses by the County Justices. It is felt that these county gentlemen have no special interest in maintaining the amenities of the burghs which lie within their district; that they have no direct interest or concern in the matter. But on the County Councils there will be representatives of burghs, and we say it is well that they should have a direct voice in this matter. The Government defeated an Amendment by my hon. and learned Friend the Member for one of the Divisions of Lanarkshire, which

proposed to make all burghs, for the purposes of this Act, Royal burghs or the equivalent to them. The effect of the adoption of the Amendment would have been to hand over to the burghs these rights. In the Division on the Amendment, 39 Scotch Members voted for it, and only 18 against it, and that being so, I think we may reasonably ask the Government to re-consider their decision, and by adopting the present Amendment give us a more symmetrical system of licensing in Scotland. To carry the Bill as it at present stands would be to place unprotected populous places in great risk of being inundated with new licenses. The Licensing Bench for such places will be made up of county gentlemen who will not be influenced by local feeling, and who have an interest in getting, in relief of the county rates, as much money for the county in licensing business as possible. We have in the large towns of Scotland a system that has worked well, and I think we ought, by transferring licensing powers to the County Councils, to give the whole of Scotland a simple, uniform, and well-understood method of licensing.

Another Amendment proposed, in page 3, line 37, after the words "thirty-six" to insert the words—

"And to be exercised by a Committee to be appointed by the County Council as hereinafter provided all the powers of granting or refusing certificates for licenses for the sale of excisable liquors in Scotland at present exercised by the licensing authority in a burgh under the Licensing (Scotland) Acts, and for the purposes of this sub-section the expressions 'Licensing (Scotland) Acts' and 'licensing authority' shall bear the interpretations given them in sections two and eight respectively of 'The Public Houses, Hours of Closing (Scotland) Act, 1887;' and a grant of a new certificate in any County in Scotland (except in the County of the city of Edinburgh, as provided in 'The Publicans Certificates (Scotland) Act, 1876,' shall not be valid unless it shall be confirmed by the county licensing committee."—(*Dr. Cameron.*)

Question proposed, "That those words be there inserted."

MR. J. P. B. BOBERTSON: The hon. Member shows that he hardly appreciates the perplexity which attaches to this matter. The subject of licensing is one of very great magnitude and very great difficulty, and also one capable of exciting the very warmest controversies. The experience of last year, too, showed that the question is one which it is impossible to deal with merely in passing or incidentally in connection with a measure which necessarily, in its scope and bearing, is so large and comprehensive as the Bill before us. I have little doubt that the whole subject of the Licensing Laws must be treated in a comprehensive spirit and with a due regard to the general feeling in favour of local administration; but the primary ground on which I hold that we ought to refrain from attempting to deal with this complicated and delicate question now is, that it is so large in itself that if we were to mix it up with the present Bill we should greatly imperil the passing of a measure which, I believe, will prove very useful and give general satisfaction to Scotland.

*MR. CAMPBELL-BANNERMAN: I think that the committee will easily detect in these two speeches on licensing two different currents of thought. On the one hand there is the desire, over and over again expressed, to see this new so-called municipal system in counties assimilated as far as possible with the system which, in the towns, has worked with so much advantage. The difficult and delicate matter of licensing has, so far as the towns in Scotland are concerned, been settled—thanks largely to the interference in past years of my hon. Friend—on a basis which gives considerable, if not entire, satisfaction to the community. My hon. Friend thinks, and I agree with him, no difficulty would have arisen in Scotland if the Government had chosen to constitute the County Councils a Licensing Authority exactly analogous to that prevailing in the towns. Now, the current of thought which seems to me to run through the Lord Advocate's speech, is that we are to be governed more or less by English ideas and precedents. I do not mean to say that the Lord Advocate would hold that we must put nothing in the Bill that is not in the English Bill, or that we should be strictly confined to following the English example. But he says—"Look at our experience of last year; look at the difficulties we had to face." Of course, he referred to the question of compensation. That no doubt is a formidable question in England; but it is not nearly so formidable in Scotland for this reason—that the habit and practice that exists in Eng-

land of large brewers possessing a considerable number of public-houses which are devoted to the sale of drink, does not exist in Scotland, and therefore the question of compensation, if it was to be entertained at all, would be much more easily dealt with in Scotland than in England. Now, I hold the opinion expressed so well by my hon. Friend, that we should, if possible, give the control of this matter to the County Council who represent the inhabitants of the district, and I believe that it might be done without any great upsetting of existing arrangements. The Lord Advocate, I was glad to hear, does not dissociate himself from the idea that the control of the licensing question ought, if possible, to be given to a popular body such as this; and I can only regret that the Government have been so much alarmed by the supposed formidable nature of the task and by their experience of last year in connection with the English Local Government Bill that they will not attempt a task which might be easily accomplished for Scotland. The Amendment which has already been defeated, and which, if carried, would have secured the control of this matter to the larger police burghs, showed an enormous preponderance of Scotch opinion in favour of the transfer of the licensing powers, and I should have hoped that that would have induced the Government to meet us in this matter. As, however, they will not do so, I am afraid that all we can do is to vote in favour of the Amendment of my hon. Friend, and to trust that when the Government find how strong the feeling is in Scotland they will give way.

MR. FINLAY (Inverness): I feel unable to support the Amendment. I have no repugnance to the idea of placing the licensing powers under popular control. On the contrary, I have long advocated it. But I have also thought that that control should be exercised by a body specially elected for the purpose. A good many reasons might be given for that view. I do not desire to enter into the subject now; but there is one aspect which I may impress on the Committee, and that is the effect on the elections which would be caused by importing into them the licensing question. What would be the prospect of those elections if this disturbing element were introduced? We should have elected men holding extreme views on the liquor question on the one side or the other, whereas the object which we ought to have in view in the elections is to secure the choice of as large a number as possible of moderate men—men accustomed to business, and who are likely to manage well the affairs of the county and give the County Councils a good start. For that reason I feel myself obliged to vote against the Amendment.

*MR. M'LAGAN (Linlithgow): Although the Amendment does not go so far as I should like, I shall support it because I do not see why the County Councils should not have the same power of granting licenses as the Town Councils possess. I have always said, too, that this power should be vested in the people. I quite agree with the hon. and learned Member who last spoke that it would be desirable to have a Board specially elected for the purpose; but as we cannot get that, we must take the next best thing, and vest the power in a Board elected by the people for general purposes. I do not deny that the County Magistrates have discharged their duties faithfully and conscientiously; but often the Bench is swamped by Justices who do not know the wishes and wants of people in districts affected by the licensing business under consideration. If the duty is transferred to the County Council, then every part of the county will be represented. I trust the time is not far distant when the people will directly control these matters.

*MR. ESSLEMONT (Aberdeen, East): I rise to support the Amendment which has been proposed by my hon. Friend the Member for the College Division of Glasgow. I quite admit that great difficulty besets the licensing question, and I regret that a subject which caused such conflict of opinion last year in connection with the Local Government Bill for England—I refer to the question of compensation—should have been imported into this debate. But although I cordially join with those who say that the subject of licensing should be placed in the hands of the people by direct veto, I support the Amendment because it is leading up to the same result. It is true that under the present system it is possible to appeal to Quarter Sessions against

the refusal of a license; but an opinion has been strongly expressed in many burghs that that power of appeal is undesirable, and that those who are responsible in burghs for the peace and comfort of the citizens should in themselves constitute the final Court of Appeal as to the number and the quality of the licenses. If we take English borough administration for our model, we must, of course, give licensing powers to the County Councils. What is complained of in the county with which I am now immediately associated is that those interested for or against licenses canvass the Justices over a large area and bring on to the Bench from all districts men who have no local knowledge. My hon. Friend the Member for Inverness deprecates the bringing of another element into the electoral discussion. But what are we going to have elections for? Are we going to elect people to decide opinions on which we already agree? There is no use in electing County Councils on a popular basis unless popular feeling is to be brought to bear on important questions such as the licensing question is, and why should not the people be able to say, through their elected Representatives, whether or not licenses shall be granted? I therefore think that the argument of my hon. Friend that there ought to be a quiet election for the first County Councils, and that there shall be no discussion on social questions on which considerable differences exist, is not well founded. In refusing to accept this Amendment, the Government are not going in the direction indicated by Scotch public opinion.

SIR A. CAMPBELL (Renfrew, W.): No doubt there is a considerable amount of difficulty in dealing with this question. We know what took place in regard to it last year, and I think we are still under the shadow of that. I hope that the Government will stand by their declaration, and that the arrangements with regard to licensing will not be interfered with. One reason I have for taking this view is that we are about to constitute a new body in the counties, and it would be a great misfortune if it should at once be called upon to deal with the difficult and vexed question of licensing. As to the suggestion that the County Justices in licensing matters interfere with the decisions of Borough Justices, my experience has been rather the reverse, as in my own county it has been the universal practice for many years to take the opinion of local Justices, and, unless some great difference of opinion exists, never to reverse the decision of those Justices. That system has been found to work very well indeed. Then, again, we are told that the County Justices know nothing about local feeling. I deny that, because the Justices are drawn from all parts of the county, and they are better able to know what is desirable than would be a man merely elected on the County Council. The Justices also possess a certain amount of independence, and feel able to act solely on the facts laid before them.

MR. R. T. REID (Dumfries): Though there may be a difference of opinion among Scotch Members as to the precise degree and method of control, there is a strong feeling in which many men of all shades of thought agree that there ought to be popular control over the grant of new licenses. For that reason, and for the reason stated by my hon. Friend the Member for Linlithgow, I shall vote for the Amendment. It certainly does not go so far as I am prepared to go, but still it is a move in the right direction. I wish to refer for a minute or two to the arguments advanced by the hon. Baronet opposite, and also by the hon. and learned Member for Inverness—namely, that we ought not to allow this disturbing element in the first elections. That has been the ground urged for not giving the County Council power to protect rights of way, and it has been urged on other stages of the Bill, and the result is that you are constituting County Councils with practically nothing to do. In my view, the merits of the new authority will depend to what extent it will be able to deal with matters in which the public are most deeply interested, and to try and keep the Councils removed from all subjects in which the constituency is most deeply concerned is to treat the members as children instead of as men. For my part, I desire in the public interest—and in the interest of the County Councils themselves, which ought to be as dignified and important as possible—to confer on them the largest prac-

ticable powers in regard to Local Government.

*Mr. MARK STEWART (Kirkcudbright): I should like to explain briefly the vote I am about to give. I can see great difficulty in carrying out the object of the Amendment. I heartily go in for a thorough popular control in licensing matters; but when I am asked if I am prepared to burden this Bill with the Amendment before the House, and whether I think it right to institute popular elections on the drink question at the outset, I say at once I do not think I should be doing my duty to my constituency or representing the majority of my constituents if I voted in favour of this Amendment. I am satisfied that there is a large amount of public feeling in favour of it, but I am also satisfied that many thinking persons hold that the licensing clauses should not be introduced into a Local Government Bill, and would prefer to have them postponed until such time as it may be possible to legislate on the subject in a large and comprehensive spirit.

*Mr. WALLACE (Edinburgh, E.): I wish to support the Amendment. Hon. Members seem to think that this licensing question will exercise such a disturbing influence in the County Council elections that the best men for the general business of the county will not be appointed. I do not share in that feeling. We have had a long experience in the burghs where the municipality has power over licensing matters, but I do not think it can be said that that power has exercised any appreciable influence for evil in the selection of moderate, reasonable, and practical men as members of the Council. If there is any difference in this matter between civic and rural municipalities, I think the danger would be more to be apprehended in the case of the civic bodies, because in towns the drink question is a far more crying evil and more deeply felt than in rural districts. I think the experience we have had in towns should encourage the Government to also trust the people living in rural districts. It seems to me that a great deal of this alarm about the extravagance with which electors will exercise the franchise is rooted in the fundamental difference between Liberalism and Conservatism. One trusts the people, the other in its modern phase professes to do so, but confines itself to professions.

*Mr. ALEXANDER L. BROWN: The hon. Baronet the Member for Renfrewshire spoke of the independence of the County Justices, but I think the real reason for the attitude of the Government is to be found in the natural desire of the Magistrates to keep the powers they now exercise. I fancy the hon. Member for Kirkcudbrightshire will find it difficult to reconcile the vote he is about to give with the position he has taken up in that county. Is the Lord Advocate going to give us any concessions at all? He made a great parade on Friday of the spirit in which he was going to deal with the Amendments on the Paper, but the only concession he has yet made is on the point of the Chairmanship of the County Councils; and when we bring up questions on which there is more difference of opinion he refuses to meet us in any way. If this is the spirit which is to prevail it will not facilitate the progress of the Bill. You are bringing Local Government into contempt in Scotland. You are giving the County Councils absolutely nothing to do but audit a few accounts. I would earnestly appeal to the Lord Advocate to drop this attitude of dogged resistance, and to remember that at the next General Election he will have to satisfy the people of Scotland as to his conduct.

Mr. PHILIPPS: I know from personal experience that feeling in favour of temperance legislation is much stronger in Scotland than in England, and, even in this House, with a Tory Government and half-Unionist majority in power, whenever temperance Motions are brought forward they are always carried on general grounds. Local Option Motions are invariably successful, and I think it would be a most disgraceful thing, bearing that fact in mind, for the Government to persist in their opposition to this Amendment.

*Mr. J. WILSON (Lanark, Govan): I rise to support the Amendment. The hon. Baronet the Member for West Renfrew stated that the Justices of the Peace in his county always listened to what was said by the Justices for the immediate neighbourhood for which the license was applied. Well, Sir, that

statement is equally applicable to Lanarkshire. But the fact is that the Magistrates are often influenced from outside sources. Now, I have sat on the Bench for many years, and have never known a case in which people have come to the Court asking for licenses to be granted. We frequently have deputations asking that they shall not be granted, while the forms of opposition which have to be gone through are so difficult that many people rather than take the trouble will let the license go by default. The main street of the town which I have the honour to represent is two miles long, and I believe that every third shop is either a licensed grocery or a public house. By subjecting the people to such strong temptation you do much to demoralise them, and I think this would be avoided if the burgh had control over licensing matters, instead of being subject to County Justices in that respect. A right hon. Gentleman once told this House that the law of the country should make it easy to do good and difficult to do wrong. Now we know that the great bulk of the crime of this country is due to over indulgence in strong drink; and therefore I hold that every obstacle should be put in the way of people getting that strong drink. Therefore, I hope that the Amendment will be accepted.

*SIR J. KINLOCH (Perth, East): I rise to support the Amendment, and I do so as a Justice of the Peace. I think it would be a great advantage to have this thorny question removed from the Court of the Justices of the Peace to a central and popularly elected body, which will look dispassionately on the requirements of a district, and will study local wishes. We think the duty of granting licences is the most unpleasant one we have to perform, especially in districts with which we have connection and interests.

The Committee divided:—Ayes 127; Noes 64.—(Div. List, No. 182.)

*MR. C. FRASER-MACKINTOSH (Invernessshire): The Amendment of which I have given Notice is one to which I believe the Lord Advocate is not unfavourable. To elicit the opinion of the right hon. Gentleman I beg formally to move it.

Amendment proposed, line 41, at end add—

"And the power of the Commissioners of Supply to appoint Income Tax Commissioners, to impose and levy the land tax, and split and deal with old valued rents, are also all hereby reserved."

MR. J. P. B. ROBERTSON: I propose to deal with this same subject by an Amendment which I shall have to move later in a new clause. I think the hon. Member is quite right in his view that this is a duty not of an administrative, but of a judical character, and the clause I shall have to propose will recognize this.

Amendment, by leave, withdrawn.

Amendment proposed, in line 41, after "passed," add—

"The provisions of any Act of Parliament conferring, imposing, or regulating the powers and duties by this Act transferred or regulating the proceedings under any such Act shall remain in full force and effect, except in so far as they are repealed by or are inconsistent with the provisions of this Act."—(*The Lord Advocate.*)

Amendment agreed to.

Question proposed, "That the Clause, as amended, stand part of the Bill."

*MR. CAMPBELL-BANNERMAN: I am obliged to take this legitimate opportunity of referring to what occurred in discussing the earlier part of the clause. The most important point yet reached in the Bill is the question whether the Commissioners of Supply should be retained, or whether the whole of their powers should be handed over to the County Council. The object I have in recurring to this is to invite the attention of the Government especially to the Division which took place on that occasion. It was, I think, remarkable and almost unprecedented as an expression of opinion on the part of the Scotch Members. On the Amendment which it was my duty to move, that the powers of the Commissioners of Supply should be handed over to the County Council, there were 18 Scotch Members in all who voted against it and supported the Government; there were 43 who voted for the Amendment and against the Government; 11 were absent, and of these eight at least would have voted for the Amendment had they been present. Now, I think, the Government will admit that when they

are supported by only a fourth of the Scotch Members on a full Division they must recognize in that a very significant expression of Scotch opinion. We all know there are peculiar circumstances in the existing Parliament which affect certain of my Colleagues, and induce them to look more favourably on the views of the Government than they would if left to their unbiased judgment. I express no opinion as to those who differ from us in general politics, but of this I feel satisfied, that some who voted with the Government would be quite prepared to accept this proposal. It is a very serious matter when the Representatives of the Scotch constituencies find themselves so completely overborne as they had been again and again on this measure. I fully acknowledge the courtesy of the Lord Advocate and the friendly and conciliatory spirit of the Government, but the concessions made are very small. I am not going again to argue the question of the charge of the police, and the financial duties that are to remain with the Commissioners of Supply, but I would point out that if these are left out the amount of authority handed over to the County Councils is very small indeed. It is not too much to say that the Commissioners of Supply themselves were not overburdened with business, a very few meetings in the year sufficing for the discharge of their duties, which are in a great measure to be withheld from the County Council; and when we make proposals for giving the County Council something more to do we are told of the danger of overburdening the new body. But when we look through the duties that are to be conferred upon them, which relate to gas meters, explosive substances, weights and measures, habitual drunkards, wild birds, and destructive insects, we think that something more might be given to this great Constitutional body about to be created. But I am not going to argue the question over again. I am only going to make an appeal to the Government, and more especially to the right hon. Gentleman the First Lord of the Treasury. Throughout these debates I have made a discovery. In regard to the Universities Bill and the Bill now before us, the Government, I am bound to say this in their favour, have generally been in a friendly and conciliatory spirit, but there are occasions when there is no display of that spirit, and those are when we have present here, taking the part of chief adviser of the Lord Advocate, of the right hon. Gentleman the Chief Secretary for Ireland. The moment the Chief Secretary came into the House on Friday, I said to my friends near me, "we shall have no concessions to-night." The Government then take the narrow and distrustful view of the right hon. Gentleman. I appeal now to the right hon. Gentleman, who with the President of the Local Government Board is always open to reason, to reconsider this point upon which we have made this strong demonstration of opinion. There really is no point of high principle involved, it is merely a question of expediency. The Commissioners of Supply themselves contemplate their absorption in a very few years, and there really is no political principle in the matter; nor need the Government be afraid of any sinister example for England or Ireland if they yield to such a demonstration as we have made on this occasion. I do not go into many other divisions in which the result has been very much the same. I confine myself to this one question upon which the Scotch people have a right to be heard, because it closely affects themselves. It is not unreasonable that we should make an appeal—I will not yet call it a despairing appeal—to the good sense and good feeling of the right hon. Gentleman, and remind him that when we ask for this concession we do so as representing the vast majority of the Scottish people.

*THE FIRST LORD OF THE TREASURY (Mr. W. H. SMITH, Strand, Westminster): I cannot complain of the temper and spirit with which the right hon. Gentleman has addressed the Government and the Committee on this occasion, except in one particular when he thought it right to single out a right hon. colleague of mine as the evil spirit of this Bench and exercising such a tremendous and malign influence over my right hon. Friend the Lord Advocate that the moment he came into the House no concession was entertained. Now, I wish to assure the right hon. Gentleman that the Government are acting together on

these questions, and in refusing any Amendments which have been proposed, the Government, as a whole, must be held responsible for the evil deeds the right hon. Gentleman has alluded to and ascribed to my right hon. Friend. The Government are responsible for the framing of a measure which they believe will be conducive to the safety and good government of Scotland, and as a whole are responsible for what the right hon. Gentleman terms concessions. I dislike the phrase, for it seems to imply that hon. and right hon. Gentlemen opposite make demands for the benefit of Scotland which we desire to refuse. Our object, as I have said, is to frame an Act for the good government of Scotland, but the Government are also responsible for the peace and good order of every part of Her Majesty's dominions, and we must not take any course which in our judgment would tend to endanger good order in any part of the kingdom. I will not repeat the arguments that were so well used by the Lord Advocate and the Chief Secretary for Ireland on Friday in the name of the Government. I believe those arguments were not met by the right hon. Gentleman and his Friends in such a manner as would justify us in incurring the responsibility of risk to the preservation of peace and good order in any part of Her Majesty's Dominions which we believe would be involved by adopting the course urged upon us. The right hon. Gentleman tells us there is no point of high principle involved. If that is so, surely there is no very great question between us, and we may be allowed, at least for the present, to maintain a system that we, speaking for the present, believe to be essential. As time goes on the right hon. Gentleman may prove himself to be right, and, if so, nobody will be more ready to acknowledge it than we shall. But we are asked to undertake an experiment we do not think we are justified in making, and to incur a responsibility for which we are not prepared. It has been admitted by the right hon. Gentleman or by those who support him that some restriction, some provision for interference might be necessary in some parts of Scotland if County Councils had control of the police. Why does not the right hon. Gentleman put on the Paper his suggestion of an alternate provision which would fortify and strengthen the power of maintaining order which he desires so much to preserve? Again, the right hon. Gentleman has stated his desire to see the rate for maintaining the police divided between the occupier and the owner. How is it that we have not an Amendment on the Paper for that purpose? [Several hon. MEMBERS: You have.] In the name of the right hon. Gentleman? ["No."] This is what I am referring to. He is responsible in a large measure for the conduct of hon. Members opposite in relation to this Bill, and naturally we should attach more importance to an Amendment coming from him than to others. However that may be, I acknowledge the fair spirit in which these discussions in Committee have been conducted, and I trust that the right hon. Gentleman will recognize that we desire to proceed in a fair and conciliatory spirit. But there are matters on which it is impossible for the Government to give way, and with us lies the responsibility for the measure now under consideration.

*SIR GEORGE TREVELYAN (Glasgow, Bridgeton): I am quite sure that nobody who has been present during the proceedings upon this Bill, and the University Bill, can complain of any want of consideration and courtesy across the floor of the House, but it is not only a question of civility in dealing with Members of Parliament, which has been conspicuous. I admit that it is a question of recognition of and respect for the opinion and dignity of the Scotch nation. The right hon. Gentleman has spoken of the necessity of considering the good government of the whole country, and we have been met frequently with arguments drawn from England, but there is one argument from the experience of England which has been entirely overlooked. The universal complaint in every county in England, as far as I know, has been about the enormous costs of the County Council elections, and people are asking, why so much expense was laid upon them for the election of bodies which have next to nothing to do? Nothing has so much tended to depopularize the idea of Local Government in Scotland as that circumstance. If that is the case in

England, much more may it be the case in Scotland. In Scotland among all shades of political opinion, Imperial and local, there will be a feeling of dissatisfaction of the disproportion between the expense of the elections, and the small amount of work the Councils will have to do. I am afraid that the decisions on this clause, unless the Government will reconsider their own Report, will take the life and light out of the Bill. An extraordinary argument has been used on more than one occasion against giving control of the police, of the liquor traffic, and other matters to the Representatives of the people, that it would introduce interesting questions and public considerations into the elections, and men would be elected for reasons other than personal qualifications. But I may appeal to English experience, and I say that it was often most difficult to come to any judgment on the claims of a candidate in a district, and frequently the election turned upon whether the candidates belonged to the landlord class, the farming class, or the working class. What is wanted is the introduction into these elections of elements that will broaden and elevate their character, something to interest the people, and surely nothing can interest the people more than their own concerns for which they really care, and upon which they are well able to form an opinion as regards the qualification of a candidate. On all the points put by my right hon. Friend there has not been a sufficient answer from the Government to justify their going against the general feeling of the Scotch people. It was quite at the end of the debate and when the Committee was beginning to think they had had enough of it that my hon. Friend the Member for Govan got up, and I must say that nobody who listened to him could have failed to have been struck with the plain statement of how in a community of 60,000 or 70,000 people there was no popular voice whatever in the selection of men who were to grant licenses in the district, and that licenses far in excess of requirements were granted by Magistrates who, coming from a distance, had no local knowledge or sense of responsibility. This is the sort of argument that has been brought forward again and again throughout the debates, and to which no answer has been given. No answer has been given to these statements and sentiments that represent Scotch feeling, and unless reconsideration is given, as I hope it may be given, to these questions on the stage of Report, this Bill will teach the people how little is to be hoped for from the Government towards a system of popular Local Government.

*Mr. ESSLEMONT: I took the liberty of saying when this clause was introduced that it would not be satisfactory to the people of Scotland. It has been my lot to have had a great deal to do both with City and County Local Government, and I must say that I feel the greatest possible astonishment and dissatisfaction that the Lord Advocate and the Government have not seen their way to concede at least something towards Scotch opinion. The First Lord of the Treasury says we are proposing an experiment, but it is no experiment at all; we have had this popular control in large cities in Scotland for a long series of years. How can the right hon. Gentleman say that this cannot be done at the present moment when in the past we have had full experience that the people can be trusted to manage these among their own affairs. The attitude of the Government supplies a strong argument in favour of Home Rule for both Scotland and Ireland. The argument that has told most against Home Rule for Scotland has been that at all events the Imperial Parliament did not interfere with especial Scotch business, unless there were strong Imperial reasons for doing so. What has occurred in the past to justify the assertion that Scotland cannot be trusted to keep its own peace? With regard to the Bill, I say candidly that with this clause standing as it does the people of Scotland, except as regards education, will care nothing for it. I am sure that the people will resent this granting of County Councils with so little to do, on the ground advanced by the right hon. Gentleman, that the people cannot be trusted. In the interests of peace and good government, I make my earnest protest in the firm belief that this Bill, which the Government intended to satisfy the people of Scotland, will only irritate them.

Mr. RADCLIFFE COOKE (Newington, W.): I only rise to correct an

error into which the right hon. Baronet opposite (Sir G. Trevelyan) fell when he stated in effect that the Local Government Bill of last Session did not cast heavy duties on the County Councils. It is true that only the duties of the County Magistrates were transferred together with the charge of main roads, no slight addition to the duties. But the County Councils and the county generally are beginning to understand how large an amount of business has to be transacted by Committees. In my own county of Hereford, with which I have most acquaintance, I know that the Council have quite as much work on their hands as they can get through.

*MR. CHILDERS: Two statements fell from the First Lord of the Treasury that seem to me to require notice. The right hon. Gentleman said that it was the duty of my right hon. Friend the Member for Stirling to place before the House the Amendments which he would propose for the control of the police in those parts of Scotland which, in his opinion, required exceptional treatment; but I would remind the right hon. Gentleman that the suggestion came from the Ministerial and not the Opposition side of the House, so that it is not for us to suggest any such Amendments. We are of opinion that the people might be entirely trusted in the matter of the police. The right hon. Gentleman further said it was the duty of the Government, not only to look to Scotland, but to the effect of the changes proposed on the good Government of the United Kingdom. That is the strongest argument in favour of Home Rule that I have ever heard. This is a purely local matter, and under any system of devolution of authority from the central to the local authority these matters would undoubtedly be left to the local legislature. But the right hon. Gentleman argues that this purely local question as affecting Scotland must be considered with reference to the effect of similar provisions in other parts of the United Kingdom.

*MR. W. H. SMITH (Strand, Westminster): As to the last observation of the right hon. Gentleman it is right I should say that when I referred to the responsibility of the Government for the good order and peace of the whole of the United Kingdom, I had in my mind the good order and government of all parts of Scotland.

Question put, and agreed to.

Clause 12.

Amendments proposed, in line 11, leave out "the Acts of 1889," and insert "this Act;" line 14, after "of," insert "section nine of."—(*The Lord Advocate.*)

Amendment agreed to.

Amendment moved, in Clause 12, page 4, line 13, after "Act," insert—

"excepting so much of Section 8 of that Act as provides for the incorporation of the Commissioners of Supply."—(*Mr. Hozier.*)

Question proposed, "That those words be there inserted."

MR. J. P. B. ROBERTSON: I am sorry to be unable to accept the Amendments. A change is effected by the Bill in the functions of the Commissioners of Supply. Instead of being an administrative body as they have been hitherto, in the future they will be merely an elective body. I do not think, under the circumstances, that they should be a Corporation.

Amendment, by leave, withdrawn.

*MR. MARK STEWART: I beg to move to leave out the word "May" in line 22, in order to insert "April." There is a strong feeling in Scotland that if it is possible the old statutory day of meeting should be preserved. In many Scotch counties the accounts are made up and audited for the 30th April, and the same thing would still continue if the Government would accept this Amendment.

Amendment moved, in Clause 12, page 4, line 22, leave out "May," and insert "April."—(*Mr. Mark Stewart.*)

Question proposed, "That the word 'May' stand part of the Clause."

MR. J. P. B. ROBERTSON: The practical objection to this Amendment is that the financial year, according to what is necessary under the Bill, begins on the 15th May. I am afraid it would be unworkable to adopt the month of April, though I can very well understand the hon. Member, from traditional reasons, having a preference for that month.

Amendment, by leave, withdrawn.

Amendment moved, in Clause 12, page 4, line 22, leave out from "but," to the end of the sub-section, and insert—

"And for all other purposes the Commissioners of Supply may make such arrangements as they see fit with respect to the summoning notice, time, place, management, and adjournment of their meetings."—(*Mr. Hozier.*)

Question proposed, "That the words proposed to be left out stand part of the Clause."

MR. J. P. B. ROBERTSON: I am afraid this Amendment proceeds on the assumption that there are other purposes for which the Commissioners of Supply shall meet than that of election. We adhere to the view that the Commissioners of Supply shall have no administrative functions whatever. I cannot, therefore, accept the Amendment.

Amendment, by leave, withdrawn.

Amendment proposed, in Clause 12, page 21, line 25, after "Committee," insert "appointed as."—(*The Lord Advocate*).

Amendment agreed to.

Clause 12 agreed to.

Clause 13 (Transfer of police in burghs under 7,000 population).

*MR. LYELL (Orkney and Shetland): I would ask whether, under the Amendment standing in the Lord Advocate's name, he reserves power to the Scotch Office to interpret the clause freely, so that certain burghs having less than 7,000 inhabitants may not be deprived of the privileges they at present possess?

MR. J. P. B. ROBERTSON: I am under an engagement to so frame the clause so as to provide for those burghs which by some formal process shall be found to have 7,000 population at the time of the passing of the Act. In doing that the Government will be doing all that the hon. Gentleman wants. He desires to know what burghs will come within the definition of this Bill. There is no general power bestowed on the Secretary for Scotland to give to one burgh and withhold from another. As to the question of law, there must be some expeditious method of securing decisions; and we, therefore, thought that if we required reference to be made to the officials, they would interpret the clause in a liberal way.

Amendment proposed, in Clause 13, page 4, line 41, leave out "the Acts of 1889," and insert "this Act."—(*Mr. J. P. B. Robertson*).

Amendment agreed to.

Amendment proposed, in Clause 13, page 5, line 1, after "duties," insert "and shall have transferred to it the liabilities."—(*Mr. Caldwell.*)

Amendment agreed to.

Amendment moved, Clause 13, page 5, line 3, after "county," add—

"Provided that this section shall not apply to any burgh which has maintained a separate police force during the ten years immediately preceding the passing of this Act."—(*Mr. Baird*).

MR. J. P. B. ROBERTSON: I shall be happy to consider this proposal between now and the Report stage; but I could not offhand accept so general an Amendment as this.

MR. S. WILLIAMSON (Kilmarnock, &c.): I would recommend the hon. Gentleman to withdraw the Amendment.

*MR. LYELL: I can understand the difficulty the Lord Advocate is under in making exceptions, and, therefore, it was that I asked him whether it was proposed that the Scotch office should retain powers to deal with exceptional cases. I wish to press on the Lord Advocate that the circumstances of the islands in the North of Scotland cannot properly be judged by the standard applicable to the mainland. I would urge that the Town Commissioners of Lerwick, in Shetland, ought not to be deprived of the control of their police, but on public grounds ought rather to be vested with the control of the police of the island. There is a large fishing population there which varies very considerably in the course of the year, and the Naval Reserves come in in the winter.

MR. J. P. B. ROBERTSON: I admit that the case of Lerwick is a peculiarly strong one; but I do not see how it is to be met without creating greater inconveniences than are involved in the operation of the clause. I will re-consider the case; but I do not expect to be able to find a solution of the difficulty.

Question, "That those words be added to the Clause," put, and negatived.

MR. CRAIG SELLAR (Lanarkshire, Partick): The object of the next Amendment, which stands in my name, is to provide that the computation of the population of the different burghs shall be made at the time of the passing of the Act, and it provides the simple means for that purpose contained in the Scotch General Police and Improvement Act of 1862. The Lord Advocate, I know, contemplates something of this sort; but I do not think he could adopt a more reasonable means of attaining his object.

Amendment moved, Clause 13, page 5, line 3, at end of Clause, add—

"Provided that if the population of such burgh or police burgh, as the same may be ascertained as nearly as possible in the manner described in the seventh Clause of 'The General Police and Improvement (Scotland) Act, 1862," within three months after the passing of this Act exceeds 7,000, this section shall not apply to such burgh or police burgh, and the said burgh or police burgh shall, for all the purposes of the Acts of 1889, be in the same position as a burgh or police burgh containing, according to the Census of 1881, a population exceeding 7,000."—(*Mr. Craig Sellar.*)

Question proposed, "That those words be there inserted."

MR. J. P. B. ROBERTSON: I differ from the hon. Member to this extent, that I think the proposed method too dilatory. It is extremely important that the Act should be set going immediately after its passing. My view is that the Secretary for Scotland should be authorized, within 14 days or so after the passing of the Act, to state what burghs should come within the Act. If you give an interval of three months, it would throw out of gear the plans for the rapid putting into operation of the Act. I am carefully considering, with reference to that and other clauses, how I can frame a general provision to effect the object the hon. Member has in view.

MR. CRAIG SELLAR: On the understanding that the 7,000 population at the time of the passing of the Act is to be taken as the definition, I will withdraw the Amendment.

Amendment, by leave, withdrawn.

MR. R. T. REID: I now move an Amendment declaring that the police, acting within the boundaries of a burgh, shall be subject to the Magistrates of that burgh. The purpose is in no sense to interfere with the efficient management of the police. The Lord Advocate will know that the burgh authorities are as anxious to see the peace preserved as anyone; but hitherto some of them have been in the habit of making their own arrangements with the counties as to the police, and what I desire is that this privilege should be continued, and that where the Magistrates are acting within the burgh boundary their authority should not be interfered with. I put the Amendment down at the request of one of the Royal burghs which I have the honour to represent, and I think it is a very reasonable one.

Amendment moved, Clause 13, page 5, at end, add—

"Provided that all police, while acting within the boundaries of such burgh, shall be subject to the control and orders of the magistrates thereof."—(*Mr. Robert Reid.*)

Question proposed, "That those words be there added."

MR. J. P. B. ROBERTSON: I think I can undertake to insert an Amendment to carry out the hon. and learned Gentleman's object. That object will be accomplished by enlarging the limit of 5,000 in the Police Act of 1857 to 7,000.

MR. R. T. REID: I think that would effect my object. If the Committee will allow me I will withdraw my Amendment, and will confer with the Lord Advocate on the subject.

*MR. MARK STEWART: I desire to urge on the Government the claims of Maxwelltown, which has hitherto paid for its own police. No doubt the question will arise on Clause 30; but I desire to call the attention of the Government to it.

Amendment, by leave, withdrawn.

Question proposed, "That Clause 13, as amended, stand part of the Bill."

SIR G. CAMPBELL (Kirkcaldy, &c.): Before the clause is passed I should like to have an assurance from the Lord Advocate as to the meaning of the word "burgh." The Lord Advocate, in a letter he has written me, points out that what he means is a "municipal" and not a "Parliamentary" burgh; but I think

the explanation he has given me in private I am entitled to ask for in public, seeing that when I pointed out that there was an obscurity in the clause he treated me with scant courtesy and tried to snuff out the question by silence, as though I was merely an obstructor, who knew nothing about the details of the Bill.

MR. ASHER (Elgin): The difficulty on the part of my hon. Friend is to ascertain what is the exact object of this part of the Bill with regard to the burghs of which there are here and there throughout Scotland some that are placed in the exceptional position he has pointed out. Take the cases of Banff and Macduff, the first of which is a Royal burgh, while the other is not, these two forming not two burghs, in the Elgin Group, but counting as one in the general arrangement, and under this clause, taken along with the Interpretation Clause, these two burghs would still only count as one. It can hardly be doubted that the proper way would be to leave these towns as separate burghs for the purposes of this Bill, and I should be satisfied with any words the learned Lord Advocate might suggest that would effect this.

MR. J. P. B. ROBERTSON: I should be happy to meet the views of the hon. and learned Gentleman opposite (Mr. Asher), and have no doubt we shall be able to introduce words providing that places in the peculiar position he has pointed out shall stand separately. With regard to what has been said by the hon. Baronet the Member for Kirkcaldy (Sir G. Campbell), I am very sorry if what I said on the occasion he has referred to, and said with what I believe to be perfect good humour, should have given him offence. The case he has mentioned is like those referred to by the hon. and learned Gentleman the Member for Elgin; and I can only say to him that in dealing with the various burghs it will be necessary to adopt a clearer mode of definition, which I believe can be done so as to remove any anxiety he may feel on the matter. In the Roads and Bridges Act there is a formula which I believe will meet the case. I think the object we all have in view is the same, and that is, that the municipal or police boundary should be taken as constituting the area.

Question put, and agreed to.

Sir G. Campbell

Clause 14.

Amendment proposed, in page 5, line 6, leave out "seven" and insert "twenty."—(*Mr. Barclay.*)

MR. J. P. B. ROBERTSON: This Amendment, if agreed to, would have the effect of excluding a large number of burghs which at present enjoy the administration of the Acts, and which have shown no desire to renounce that privilege. The Committee on the Police Bill of last year adopted the standard of 7,000 on what was practically the same question, and I hope the hon. Member will not persist in his Amendment.

MR. SINCLAIR (Falkirk): I trust, after what has been said by the Lord Advocate, the Amendment will not be pressed.

SIR G. CAMPBELL: I regard this as a very important question, which ought not to be slurred over, because there has been great difficulty in dealing with burghs like Dysart, which, as far as I can gather, are willing to be amalgamated with the counties. Take, for instance, the case of the burgh of Kirkcaldy. That is a burgh which might be included, as it has suffered very much from the increased rates imposed upon it, in consequence of the extent to which cattle within its limits have been subjected to pleuro-pneumonia. When I put it to the people there, would it not be better to be amalgamated with the county, their answer was, "We are afraid the county would not have us." After the opinion which has been expressed, that the present area with regard to cattle diseases is too small, the amalgamation of such places with the counties might be facilitated.

Amendment, by leave, withdrawn.

Amendment proposed, Clause 14, page 5, line 9, after "Acts," insert "and the Destructive Insects Act, 1877."—(*The Lord Advocate.*)

Amendment agreed to.

Amendment proposed, Clause 14, page 5, line 10, leave out "the Acts of 1889," and insert "this Act."—(*The Lord Advocate.*)

Amendment agreed to.

Amendment proposed, in Clause 14, page 5, line 13, after "Acts," insert

"and 'the Destructive Insects Act, 1877.'"—(*The Lord Advocate.*)

Amendment agreed to.

Amendment proposed, in Clause 14, page 5, line 24, after "county," add—

"Provided also, that if any question shall arise as to the burghs and police burghs to which the provisions of this or the immediately preceding section apply the same may be determined by the Secretary for Scotland."—(*The Lord Advocate.*)

Amendment agreed to.

Question, "That the Clause, as amended, stand part of the Bill," put, and agreed to.

Amendment proposed, Clause 15, page 5, line 36, after "burgh," insert "or the trustees of a public navigation or lighthouse trust."—(*Mr. Caldwell.*)

Notice taken, that 40 Members were not present; House counted, and 40 Members being present,

MR. J. P. B. ROBERTSON: I have previously informed the hon. Member that I accept this Amendment.

Question, "That those words be there inserted," put, and agreed to.

Amendment proposed, Clause 15, page 5, line 36, after "burgh," insert "Commissioners of police of a police burgh."—(*Mr. Craig Sellar.*)

Question, "That those words be there inserted," put, and agreed to.

MR. CRAIG SELLAR: The objec of the clause is to enable the Secretary for Scotland to transfer certain powers, and, among other powers, he may be enabled as the clause stands to transfer his appellate jurisdiction powers. There is an appeal on the part of any householder to the Secretary of State from the Sheriff on the question of boundaries, and it appears to me that it would not do to transfer such a jurisdiction from an official like the Secretary of State to the County Council. It might very well be that a Board wished to extend its boundaries, and the County Council might be the very parties to oppose such an extension. In that case the appeal would lie to those who were specially desirous of preventing the extension of the boundaries. Under the circumstances, I think it is reasonable that the appellate jurisdiction should be retained by the Secretary of State.

Amendment proposed, Clause 15, page 5, after line 42, insert—

"Provided that this section shall not apply to the appellate jurisdiction vested in Her Majesty's principal Secretaries of State under 'The General Police and Improvement (Scotland) Act, 1862.'"—(*Mr. Craig Sellar.*)

MR. J. P. B. ROBERTSON: In the case of all these transfers the department from which the transfer would be made must consent; and in the case which he singles out it is exceedingly unlikely that the Secretary of State or the Secretary for Scotland would consent to the transfer of powers of a judicial character to the County Council. I am quite in sympathy with the object which my hon. Friend has in view in moving that Amendment; but I think it would be better to rely on the discretion of the Secretary of State in the matter.

MR. CRAIG SELLAR: I think the argument of the right hon. Gentleman is really in favour of the Amendment; but, on the assurance of the right hon. Gentleman that the discretion of the Secretary of State will probably be exercised in favour of the object of my Amendment, I will not press it.

Amendment, by leave, withdrawn.

On Motion of the LORD ADVOCATE, the following Amendments were agreed to:—Clause 16, page 6, line 17, leave out "relating," and insert "in so far as they relate"; line 20, leave out "the Acts of 1889," and insert "this Act;" line 27, leave out "the Acts of 1889," and insert "this Act;" line 42, leave out "the Acts of 1889," and insert "this Act."

Amendment proposed, Clause 16, page 7, line 2, leave out "shall," and insert "may, if the County Council think fit."—(*Mr. Hozier.*)

*MR. J. B. BALFOUR: I hope the Government will favourably consider this proposal, because there are cases of counties, territorially not large, in which division into districts for the purpose of road management is altogether unnecessary, and in which no such division has ever been, in fact, made. One of ten counties, which I have the honour to represent, Clackmannan, is a case in point. Not only is division unnecessary in such a case, but it would lead to greatly increased cost of administration. All I ask is that the division should not be made compulsory.

MR. CALDWELL: It would disturb the uniformity of procedure under this Act, and would be an exceedingly inconvenient thing, if any newly elected County Council had it in its power to interfere with the division.

MR. J. P. B. ROBERTSON: I cannot accept the Amendment, especially in the very wide terms in which it is couched. The County of Lanarkshire, part of which is represented by my hon. Friend (Mr. Hozier), stands in an exceptional statutory position in this matter, as it is divided into districts by the Roads and Bridges Acts, and accordingly I think it has a claim for special consideration. Still, if my hon. Friend chooses to identify the exceptional position of his county with a general enactment, I cannot deal with it separately. To a large extent the success of the working of the district system depends upon each county being divided into districts, and I, therefore, do not see my way to accepting the Amendment. If my hon. Friend will bring the matter forward on the Lanarkshire Clause of the Supplemental Bill, I have no doubt we shall be able then to come to an agreement.

Amendment, by leave, withdrawn.

On Motion of the LORD ADVOCATE, the following Amendments were agreed to:—Clause 16, page 7, line 3, leave out "the Acts of 1889," and insert "this Act;" line 7, leave out "the Acts of 1889," and insert "this Act;" lines 10 and 11, leave out "the Acts of 1889," and insert "this Act;" line 11, after "1889," insert—

"Provided that the district clerk appointed under the Acts of 1889 shall be deemed to be and shall discharge the duties of a district road clerk."

*MR. HOZIER: I beg to move the Amendment standing in the name of my hon. Friend the Member for West Renfrew (Sir A. Campbell).

Amendment proposed, in Clause 16, page 7, line 17, after "Committee," insert—

"And so much of Sections 24 and 58 as provides that proprietors only shall vote in regard to the construction of new roads and bridges, and be liable for the cost thereof, shall be repealed in regard to roads and bridges to be made, built, or rebuilt after the appointed day, and the cost of such construction shall be provided for in the same manner as the cost of maintenance of existing roads and bridges."—(*Mr. Hozier.*)

*MR. BARCLAY: This is a very serious matter, and I should like to know what the Government have to say about it.

MR. J. P. B. ROBERTSON: We propose, under the stereotype clause, not to distinguish between the purposes of assessments, but merely to distinguish as to incidents. We propose that all the things that at present fall solely on landlords shall be treated among the stereotype rates.

*MR. J. B. BALFOUR: I object to this proposal, and particularly to the provision that, whereas in the Act of 1878, passed by a Conservative Government, a scheme was settled which, I believe, was generally accepted throughout the country, under which the cost of new works was to be met by the owners, because their property mainly benefited by such new works, this policy should now be reversed as regards future works.

MR. J. P. B. ROBERTSON: I should recommend my hon. Friend to withdraw the Amendment at this stage, on the understanding that it shall be brought up again on the general stereotype question. My hon. Friend was, however, I think, perfectly right to seize this opportunity of bringing his Amendment forward.

*MR. BARCLAY: The provisions of the Act of 1878 with regard to road and bridges were framed in accordance with the Report of a Royal Commission; and therefore it is a very serious matter to disturb the settlement then arrived at.

MR. J. P. B. ROBERTSON: What I suggest is that this question shall be allowed to be held over, the precise occasion on which it shall be raised being left to the hon. Member for West Renfrewshire, who, of course, I will advise as to the best mode of bringing it forward, in order to meet the convenience of hon. Gentlemen.

Amendment, by leave, withdrawn.

MR. DUFF (Banffshire): I propose to omit Sub-section (d.) The object of the sub-section is to leave the powers in the same position as they are left by the Act of 1878. It is proposed that the County Council shall manage the burgh roads, but no reason has been assigned. I believe the burgh roads are well managed now, and I think it would be better

they should be left as at present. Perhaps the Lord Advocate will say how the roads in populous places which are not burghs are to be maintained. At the present moment the assessments in respect of such roads can only be made in the county assessment, and the Lord Advocate is well aware there are many towns in Scotland which are not police burghs, and which have no means of assessing themselves for the maintenance of their streets. The main object of my Amendment is to leave the main roads which run through police burghs in the hands they were placed by the Act of 1878.

Amendment proposed, Clause 16, page 7, line 18, leave out Sub-section (d). —(*Mr. Duff.*)

Question proposed, "That the words 'police burghs' stand part of the Clause."

MR. J. P. B. ROBERTSON: I think the point raised by the Amendment is one deserving of consideration, and, I am bound to say, subject to anything that may be said at a subsequent stage by hon. Members having a better acquaintance with the administration of roads, my impression is he is right. But this subject is related to one or two others in which I know the hon. Member for Banffshire has taken a great interest and a leading part, and I should like to have the advantage of conferring with him, and with those who act with him in these matters, in order to arrive at some understanding. I suggest that the hon. Gentleman should withdraw his Amendment now and allow it to be dealt with on Report.

MR. DUFF: I take it the hon. and learned Gentleman is willing to have a meeting with Scotch Members who represent counties who have separate Acts; and on the understanding that the meeting will take place as soon as possible, and that this clause will be dealt with in the sense referred to by the Lord Advocate, I beg leave to withdraw the Amendment.

*MR. J. B. BALFOUR: I am glad to hear the Lord Advocate is prepared to consider the question. I should like to say, however, that the question does not relate only to the case of counties or localities having separate Acts; there is another and a very important matter. The effect of this sub-section, if enacted, will be to deprive certain important police burghs of the road administration they now have, and to level them down to the position of rural parishes. What I particularly wish to put to the Lord Advocate is this—whether it would not be better, seeing that the sub-section enacts a change, to omit the sub-section for the moment. Then the matter may be brought up as an open question upon Report, with such Amendments as either the Lord Advocate on reflection, or after conference with hon. Members may suggest.

MR. J. P. B. ROBERTSON: My impression is it is better the clause should for the present remain as it is. The hon. Member for Banffshire may rest assured that the matter will receive attention. Although my hon. and learned Friend (Mr. J. B. Balfour) is quite right in saying that this point rests in most instances apart altogether from Local Acts, in some cases it does rest upon such Acts. I have not the least doubt we shall arrive at some intelligible arrangement.

Amendment, by leave, withdrawn.

MR. BUCHANAN: I beg to move the insertion of the sub-section which stands in my name. This sub-section is intended to fix in a more limited degree than the Amendment discussed earlier in the evening certain responsibility on the County Councils with regard to the questions affecting rights of way. In case any railway company or the promoters of any undertaking wish to obtain or exercise compulsory powers under Act of Parliament, by the exercise of which any particular right of way is interfered with, this sub-section imposes upon them the duty of giving notice of the interference to the County Council. The County Council will then take such action as in its discretion it may deem right. The reasons for introducing the sub-section is that various rights of way have been interfered with by railway companies in Scotland to the great detriment of the public. There is a case well-known to hon. Members—namely, that of the public pathway between Aberdour and Burntisland. The North-British Railway Company obtained powers to construct a railway between the two places. They obtained

power to divert the public pathway. They agreed to maintain a pathway between Aberdour and Burntisland, but there was no public authority who had a right to see in what way this public right of way was taken possession of and used by the railway company. As a matter of fact, the railway company utterly destroyed the pathway for all the purposes of the enjoyment of the people. There have been other cases of the same sort. Undoubtedly it is very greatly to the interest of the public that the County Council should be charged with a certain amount of responsibility for looking after the interests of the public in cases in which it is found necessary to interfere with public rights of way.

Amendment proposed, Clause 16, page 7, line 23, after "county," add the following sub-section:—

"(3). After the passing of this Act, should any railway company, or 'the promoters of any undertaking' as defined in 'The Lands Clauses Consolidation (Scotland) Act, 1845,' wish to obtain or exercise Parliamentary powers to enable them to close, enter upon, or interfere with the use of any right of way, or to purchase any lands over which the public has a right of way, they shall be bound to give notice of their intention to do so to the Clerk of the County Council within which the right of way extends, and the Council shall take such steps as may be deemed expedient to protect the interest of the public in the right of way."—(*Mr. Buchanan*).

Question proposed, "That those words be there added."

MR. J. P. B. ROBERTSON: The sub-section is framed on the assumption that the County Councils have been invested by a previous resolution of the Committee with the general duty of maintaining public rights of way. But the Committee has decided that the new bodies are not to be invested with such powers, and accordingly I fail to see the necessity for this Amendment. The Committee will observe that the hon. Member for West Edinburgh (Mr. Buchanan) is in this dilemma—either this is to be ascribed to some new powers with which the County Councils are invested, or it is to be ascribed to their position as the successors of the Road Trustees. If the latter then you do not require this clause, because we have already invested the County Councils with the whole of the powers and duties of the Road Trustees. Accordingly, if the undertakers of new enterprises were obliged to give notice to the Road Trustees, they will be obliged to give notice to the County Councils. Then I turn to the other branch. If this obligation which is to be asserted against the undertakers of new enterprises depends upon some new powers to be ascribed to the County Councils, where are they? Surely the hon. Gentleman cannot seriously propose that upon the assumption that the County Councils have no general duties to maintain rights of way other than were possessed by their predecessors, the Road Trustees, they are to have notice given to them of matters with which they have no concern. The hon. Gentleman proceeds to propose that "the Council shall take such steps as may be deemed expedient to protect the interest of the public in the right of way." Why should railway companies be singled out as the only aggressors upon rights of way? In short, I think this is a matter which the Committee decided earlier in the evening.

MR. FINLAY: I would ask my hon. Friend not to press this Amendment. I voted with him on his previous Amendment, and if that Amendment had been carried this would have been a very reasonable clause to add. But it appears to me utterly unreasonable that one particular class of cases with regard to rights of way should be picked out, and if my hon. Friend goes to a Division I shall be reluctantly obliged to vote against him. I hope the whole matter will be re-considered on Report; but I cannot be a party to introducing random clauses of this kind.

MR. HUNTER (Aberdeen, N.): I cannot accept the argument of the Lord Advocate, that because the Committee at a previous stage rejected a very large demand made this very small and moderate demand ought not to be acceded to. That is including the less in the greater with a vengeance. What objection can there be to this clause? How is it going to injure any one? All it provides is that, in emergencies which constantly arise, the persons who are going to take away a notorious and acknowledged right of way shall give notice to the County Council. Why should they not? The second part of the clause gives the

County Council power to take such steps as may be required for the protection of the public interest. Surely that is a most salutary and most proper object for the Committee to enforce. I hope my hon. Friend will press this Amendment to a division, and compel the Government to show that, in small things as in great, they are determined to pay no regard to popular rights.

*MR. SYDNEY GEDGE (Stockport): If we are going to divide on the clause, it is as well it should be properly worded. The antecedent to the relative which is County Council: it should be county. The clause assumes that a right of way extends within one county only, whereas it may extend to many counties. I would suggest that after the word "Council," in line 8, we should insert, "of every county within which the right of way extends."

Amendment proposed to the proposed Amendment, line 8, after "Council," insert, "of every county within which the right of way extends."—(*Mr. Sydney Gedge.*)

Question, "That those words be there inserted," put, and agreed to.

Question, as amended, again proposed.

*MR. ESSLEMONT: Surely the clause can do no harm. It is well known that in burghs the Town Councils are the custodians of all public rights with regard to roads and everything else. Why should it be beyond the scope of a County Council to see that in a great pecuniary undertaking such as a railway due notice is given to it with regard to public roads?

SIR G. CAMPBELL: I hope the Committee will accept this very moderate and reasonable clause. Allusion has been made to the destruction of the lovely pathway between Aberdour and Burntisland. In that case we were obliged to resort to public agitation in the newspapers. I certainly think such matters would be much better settled if instead of the people having to resort to newspaper agitation they could rely on a public authority like the County Council.

*MR. WALLACE: If this were a repetition in principle of the Amendment which was rejected earlier in the evening I should have followed the hon. and learned Member for Inverness (Mr. Finlay) in the course he proposes to take. But the two cases do not seem to me to run on all fours. In the previous case what was contemplated was a landlord surreptitiously and in a clandestine way endeavouring to take a right of way from the people without their perceiving it. But the case which is supposed here is of an entirely different description. It is the case of a railway or other company avowedly proposing to take for consideration an acknowledged and indisputable right of way from the public, in which case they are to be obliged to give notice to the County Council, and then a certain ministerial duty is imposed on the clerk of the County Council. The two cases seem to be just as opposed to one another as any pair of contraries can be.

MR. BUCHANAN: I think it would have conduced rather to the saving of time if the Lord Advocate had addressed himself to the merits of the Amendment instead of directing attention to my consistency. But, in fact, the Amendment discussed earlier in the evening dealt with a different subject. The earlier Amendment was in reference to throwing upon the County Council the responsibility of maintaining rights of way existing, but here we deal with a totally different set of circumstances. There have been many instances, such as that alluded to by the hon. Member for Kirkcaldy at Aberdour, in which railway companies have taken possession of and diverted public rights of way and footpaths as they pleased, simply because there was no public authority to see that their power was exercised with the least possible detriment to the public. It is to rectify such evils that my Amendment is directed. With this provision inserted the railway company will have to give notice of their intention, as I conceive they ought, to some public body. Though the Government refused the Amendment proposed early in the evening, they might very properly accept this which, as my hon. Friend has pointed out, is quite distinct.

MR. ASHER: I should not have been prepared to support the Amendment if the view put forward by the Lord Advocate exactly met the case, but I understand this Amendment deals

with rights of way not under public control now in any way; rights to pass over private land of which road trustees have no cognizance. Railway companies under statutory powers may take land with no agreement, except with the owner, and this provision will give a public body in the public interest a voice in the matter. Really, I do not see what harm can come of giving such a power of reference to the County Council.

The Committee divided:—Ayes 90; Noes 140.—(Div. List, No. 183.)

Question proposed, "That the Clause, as amended, be added to the Bill."

MR. R. W. DUFF: Before the clause is passed I should like to call the attention of the Lord Advocate to a matter which interests the county I have the honour to represent. Before the Act of 1878 passed, certain roads in the county were maintained under local Acts; but these are superseded, and the roads come under the general Act. The trustees have petitioned to have the local Acts continued; but I confess, on looking into the subject, that this is quite impossible, and so I have assisted the Government to the utmost of my power in this particular. But the matter to which I wish to call attention is that under these local Acts boundaries for rating purposes have been arrived at between Banff and Aberdeen. The matter is, I know, one that might more properly be dealt with under the Supplementary Bill; but I do not wish this clause to pass without eliciting some opinion from the Lord Advocate on this matter, whether he agrees with me that these arrangements entered into between the two counties should be maintained. I will not go into details that would more properly be dealt with under the Supplementary Provisions Bill, but I should like to have some general assurance from the Lord Advocate on the subject.

MR. J. P. B. ROBERTSON: I can give the hon. Member the assurance that passing this clause will not in any way prejudice the question he desires to raise—a question such, as he says, is more proper for discussion upon the Supplementary Bill, and one that shall be fairly considered and, if possible, adjusted in accordance with general requirements and local wishes.

Question put, and agreed to.

Clause 17.

Amendment proposed, line 25, leave out "parochial boards as."—(*The Lord Advocate.*)

SIR G. CAMPBELL: I should like to have some explanation of this. In other places the right hon. Gentleman inserted the words, "parishes within the county, excluding burghs and police burghs."

MR. J. P. B. ROBERTSON: These are entirely consequential Amendments upon those previously adopted. There are parishes partly burghal and partly rural, and where the burghal and rural authorities compete for the office of local authority, and the arbiter is the Board of Supervision. In some cases we propose to make a complete separation between burghal and rural authorities, and it is necessary to delete the words "parochial boards."

*MR. DONALD CRAWFORD: It is a question of general importance. There are parishes in which the burgh occupies the greater part of the area, and pays the greater portion of the rates. It is a question whether it is expedient to make so considerable a change in cases where the present system has worked well for a long series of years.

SIR G. CAMPBELL: I do not resist the proposal, but I must express some doubt as to its expediency.

Amendment agreed to.

On Motion of the LORD ADVOCATE, the following Amendments made:—Line 30, leave out "the Acts of 1889," and insert "this Act"; line 32, leave out "the said Acts," and insert "this Act."

*MR. BARCLAY: On behalf of my hon. Friend (Dr. Cameron), I beg to move the Amendment in his name.

Amendment proposed, in line 32, after "Acts," insert—

"And such District Committee shall consist of the County Councillors for the Electoral Divisions comprised in the District."

MR. J. P. B. ROBERTSON: It is impossible to accept this Amendment, which would confine the District Committees to the members of the County

Councils. I think the Committee will hesitate to deprive the scheme of what I think is regarded on both sides as a most valuable feature in the Bill, the combination of representatives of the general body with delegates drawn from the parish. For the due administration of the Public Health Acts two elements are required, knowledge of local affairs which is supplied by the Local Authority, and greater momentum and a wider public spirit which are derived from the County Council.

*MR. CAMPBELL-BANNERMAN: I am not aware with what arguments my hon. Friend would, if he were present, support his Amendment, but I can imagine that my hon. Friend holds, as I do, that the Parochial Boards do not enjoy public confidence to such an extent as to entitle them to this degree of representation. I agree with the Lord Advocate that it is desirable that local interests should be fully represented, but then neither under the existing law nor under the Government Bill now before Parliament have we Parochial Boards which we can trust. There is another point which I think at this stage ought to be cleared up, and that is the difficulty presented by the number of Parochial Boards, and the variation in their numbers in different counties. If there are to be two members of each Parochial Board on every district committee, they will in some cases be inadequate, in others they will swamp the County Councillors. There will in various parts of Scotland be the most different results, and, in fact, different results in various parts of the same county. On this point I think it would be well if the Lord Advocate would give us a little information.

MR. J. P. B. ROBERTSON: I would direct the attention of the right hon. Gentleman to the subject-matter of the clause now under consideration. He has spoken as if we were called upon now to determine the question whether the District Committee is to be separate from the Parochial Board, or was to be recruited or formed to any extent from the Parochial Boards. Nothing of the kind is involved in the clause at all. The hon. Member opposite has endeavoured to force the hand of the Government by lugging in this question on a clause which does nothing else than assert that there shall be District Committees. I object, as a question of logical order, to determining this question now.

*MR. BARCLAY: I agree that this is not the proper place for dealing with the Amendment, and I ask leave to withdraw it.

Amendment, by leave, withdrawn.

*MR. MARK STEWART moved in page 8, line 1, to leave out "may" and insert "shall."

Amendment proposed, in Clause 17, page 8, line 1, leave out "may" and insert "shall."—(*Mr. Mark Stewart.*)

Amendment agreed to.

MR. CALDWELL: I beg to move the insertion in line 15, after the word "duties" of the word "and," and with the view of in the next line leaving out the words "and tenure, if any." At the present moment there are no offices held by any independent tenure except in the case of the Inspector of Nuisances, and in the case of smaller parishes that official can only be removed with the consent of the Board of Supervision. This Bill proposes to confer on County Councils the appointment of the Sanitary Inspector, and I say that if the County Council is to appoint the Inspector it should have the same control over him as a Town Council or a parish containing 20,000 inhabitants. If the measure passes as it stands the County Council will have power to remove the Sanitary Inspector in a parish of 20,000 inhabitants, but will not be able to remove him from a parish containing 5,000 inhabitants. I contend that the County Council should have the utmost control over its officials. The whole modern tendency of legislation is against giving fixity of tenure of office.

Amendment proposed, in Clause 17, page 8, line 15, after "duties," insert "and."—(*Mr. Caldwell.*)

Question proposed, "That the word 'and' be there inserted."

MR. J. P. B. ROBERTSON: The hon. Gentleman has by this Amendment raised a subject which I am bound to say, I think, scarcely falls within the clause. He has argued the question as if the Local Authority, under the Public Health Act, was to be the County

Council. That is quite a mistake. The Local Authority, under this Bill, will be a District Committee, acting under the review and control no doubt of the County Council. When the Public Health Act was passed it was thought advisable that officers appointed to discharge often unpopular duties should not be removable except with the consent of the Board of Supervision, and it is perfectly obvious that the invidious duties they have to perform are such as to call for protection from disturbance by those who may be affected by local feeling. The functions of an officer appointed under the Public Health Act are not as a rule attended with local applause or popularity. Nothing would be easier under our elective system than to raise a clamour against individual acts of administration which had tended to diminish an Inspector's popularity. It is most important that officers of this description should be held up by the consciousness that if they do unpopular things they will be backed up by an authority which is at all events independent of local prejudices. I hope the Committee will not take a step which will place the administration of the Act under a new danger by introducing an element of popularity, and excluding the control of an impartial authority free from local prejudice.

*Mr. CHILDERS: This is an extremely delicate question, and I enter into it with some reluctance; but I should like to understand whether an Officer of Health in a city is not under the complete direction of the Municipality and cannot be removed by it? If so, why should not the Officer of Health in the county be on the same footing in respect of the County Council? I do not refer to district authorities, which should not have this power.

Mr. J. P. B. ROBERTSON: What the right hon. Gentleman says is quite true as far as it goes, but it will be observed that if you adopt the plan of dividing the country into districts, you necessarily hand over the authority to a comparatively small and local body. I quite understand the comparison between the County Council and the large Urban Authority; but I can hardly understand how we could work a system which involves the setting up of small local authorities, and at the same time gives the Central Authority the duty of telling the Committee who is to carry out these mandates.

Dr. CLARK: I think this matter would come up better upon the 20th Clause of the Supplemental Bill. As to the proposal itself, I could easily understand that it would be desirable where you had a small parish in which the local magnates might try and get rid of an Inspector who was doing his duty, to have an independent authority to appeal to. But it is different where you have a large body like the County Council. I do not suppose that any laird or man of local influence would have very much influence on the County Council, and I do not think the Sanitary Inspectors would need any other protection than would be afforded to them by an appeal to the County Council. I think you ought to adopt the Amendment, and give the protection when you come to the 22nd Clause.

Sir G. CAMPBELL: This is a most important matter. It turns out that the County Council are not to be masters in their own house, as the sanitary officers can appeal to the Board of Supervision. I hope the Government will give way on this matter. As we are setting up a Local Authority it should be a free Local Authority with same power.

*Sir A. ORR-EWING (Dumbarton): I do not, for my part, think that the present state of affairs should be disturbed, and I would urge the Committee to be very cautious in dealing with so serious a matter as public health.

*Mr. BARCLAY: This Amendment proposes to carry out the principle of the Public Health Act, under which the sanitary officer in the case of large burghs and parishes is under the authority of the local governing body, but cannot be dismissed without the consent of the Board of Supervision. The districts referred to in the Bill would have a population of at least 20,000, and the proposal the hon. Member for the St. Rollox Division provides that the districts in question shall be treated as parishes of 20,000, or as large burghs. The Amendment seems so simple as carrying out the principles of the Public Health Act, that I do not understand the Government opposing it. Surely that would be more conservative

and distrustful of public influence now than when the Public Health Act was passed. I should think that the Local Authority—the District Councils —would have the strongest interest in seeing that the sanitary officers properly discharged their duties.

MR. J. P. B. ROBERTSON: The Amendment does not raise the question hon. Members are desirous of discussing, because to strike out the words it is proposed to leave out can have nothing to do with subjecting the sanitary officers to the control of the County Councils. That question will come on on a subsequent part of the Bill. There are other points germane to this question which are certain to be dealt with later on. I agree with the hon. Member for Dumbartonshire in thinking that we must be very cautious in dealing with this question of public health, and I hope that in this discussion we shall give ourselves a holiday from the use of a powerful vocabulary. I shall be willing to consider the Amendment with the view of vesting the powers of the Board of Supervision in the County Council, if that is possible; but the promotion of the public health must be the paramount consideration, and ought not to be sacrificed to any theory of popular control.

MR. CHILDERS: If I understand the Lord Advocate aright, he proposes to consider, before the Report, whether the powers in this respect of the Board of Supervision can be safely transferred to the County Councils. I would advise the hon. Gentleman to withdraw the Amendment.

MR. CALDWELL: If the clause is passed in the form in which it now stands, it will stereotype the matter, and the whole thing will be fixed. The Bill says the Board shall have the same powers, duties, rights and tenure as the existing Local Authority; and, under those words, anyone appointed to any particular district will have the same tenure as the sanitary officers at present possess. It is a mistake to say that this question will arise another time, as this is the clause under which the Sanitary Authorities will hold office, and under it they will only be removable by the Board of Supervision. This is the only time to raise the question. If the Amendment is accepted later on, I shall move that the sanitary officer shall hold office subject to appeal to the County Council in the event of dismissal.

MR. J. P. B. ROBERTSON: I am willing to leave the question of who shall have a veto in the matter of the dismissal of the Sanitary Inspector perfectly open. The hon. Gentleman may take a Division now; but I think an opposite course would leave the matter more open.

DR. CLARK: The Lord Advocate proposes to get rid altogether of the last clause of the sub-section. But the best way would be to postpone Sub-Section 3 until we come to Sub-Section 22, and then take up the case of the appointment of sanitary officers of the county as a whole. Then you can give the County Council power to arrange the District Councils and the sanitary officers appointed by the County Councils, as a whole, may also be the Sanitary Authority under the Act. The earlier portion of the clause gives the District Council the powers of the County Council with certain limitations as to the appointment of medical officers of health and sanitary officers for the county. The whole question will come up under Sub-section 22.

MR. HUNTER: It is quite clear that this clause hampers the tenure which has been taken objection to, and these words will have to come out sooner or later, if we are to carry out our views. The Lord Advocate seems to object to giving a list of personal triumphs to my hon. Friend the Member for St. Rollox, but I should have thought, after his many kind services, the Lord Advocate would hardly have made that a ground of objection.

The Committee divided:—Ayes 99; Noes 160.—(Div. List., No. 184.)

Amendment proposed, Clause 17, page 8, line 17, leave out all after "parish," to end of sub-section.—(*The Lord Advocate.*)—Agreed to.

Amendment proposed, Clause 17, page 8, line 22, leave out "the Acts of 1889," and insert "this Act."—(*The Lord Advocate.*)—Agreed to.

Amendment proposed, Clause 17, page 8, lines 23 and 24, leave out "the deficiency in the county fund," and

nsert "any deficiency."—(*Mr. Hozier.*) —Agreed to.

Amendment proposed, Clause 17, page 8, line 25, leave out "each," and insert "any." —(*Mr. Hozier.*)—Agreed to.

Amendment proposed, Clause 17, page 8, line 26, leave out "uniformly." —(*Sir A. Orr-Ewing.*)

MR. J. P. B. ROBERTSON: I am afraid I cannot accept this Amendment. In this instance we are carrying out the parochial assessment in the direction of county assessments. Under the Public Health Act, the rates are levied along with the poor rate, subject to the deductions made for certain kinds of property; and while there is something to be said for the Amendment, there is a good deal to be said against it. The general tendency of opinion on the subject is that it would be well to simplify the present arrangement, and to have as little as possible in the way of artificial deductions; and, in simplifying the arrangements in the rural parishes in the counties, we have the opportunity of getting rid of the slight anomaly that exists with regard to the deductions. I do not see how we could have one part of the rate levied uniformly, and the other not so levied.

*MR. J. B. BALFOUR: Doubtless there has been much dissatisfaction in Scotland arising from so many deductions being made, and the tendency of opinion is that, any deductions required to be made, should be made before the value of the subject is entered in the valuation roll.

MR. J. P. B. ROBERTSON: My right hon. and learned Friend will see that we are not interfering with the valuation at all.

MR. CALDWELL: What is the valuation of the land and hereditaments in this Bill is the rental, and the deductions do not appear on the valuation roll at all. The result is that in the case of land, instead of being assessed on one-fourth of the annual value the assessment will be on the net rental as it appears on the valuation roll. If this is what the Government mean, let them say so, and we shall know what to expect. This clause seems to me to raise a most important question as to rating, and to alter altogether the incidence of taxation. If the Government want to simplify the rating system let them do so with regard to other matters as well as this.

MR. BOLTON (Stirlingshire): I object very strongly to so important a change as this being made by the Bill until the Committee can be shown what its effect will be on the present position of affairs. We have gone on for many years on the system which now obtains. Public works, for instance, are rated at one-fourth of the valuation on the ground that it is not necessary to do in their case what is necessary with regard to other classes of property. Under this proposal it will be almost impossible to calculate how we shall stand, and I hope the Lord Advocate will give the Committee some information as to what will be the effect of the clause on lands and hereditaments.

MR. J. P. B. ROBERTSON: The hon. Gentleman the Member for Stirlingshire should bear in mind that this is a matter which in the main effects railways and other public undertakings. We provide that the County Councils shall be invested with the administration of the law with regard to railways and so forth in the country districts. At present there are districts in many places which are partly town and partly county and which are administered by one local body. The law says in those cases that where work for the public health is undertaken certain kinds of property shall be exempt, but where you draw the line between the town part and the country part the ratio of these exemptions fails. The plan proposed by this clause has the enormous merit of tending to simplification and uniformity and is supported by reason and common sense.

DR. CLARK: I think the hon. Members for Stirlingshire and Dumbartonshire are confusing uniformity of valuation with uniformity of rating. The valuation will not be affected. Where the valuation is put down on the valuation roll that will be the basis of all rating.

MR. BOLTON: There is no question of valuation here; it is a question of rating, and I say if the proposed change is to be made we ought to be told what the effect will be.

*MR. BARCLAY: This is a very important question and raises a new

principle of rating. I understand it is intended to levy all the rates on one uniform valuation. I think that this proposed change is a very important one.

MR. HUNTER: There is I think very great force in the observation which has been made by the Lord Advocate, that under this Bill a separation will take place between town and country, and that therefore one of the principal considerations will disappear. As far as the counties are concerned the principal defect I imagine will be in connection with railways passing through country districts and upon agricultural lands, considering that the larger part of the valuation in the counties comes from agricultural lands as compared with shops there can be very little difference on this class of subjects. I think that on the whole the considerations which the Lord Advocate has brought forward are so weighty that I shall be very unwilling to see this omission made. I look on this as a great step towards the uniformity of rates.

Amendment, by leave, withdrawn.

Amendment proposed, Clause 17, page 8, line 33, leave out "the Acts of 1889," and insert "this Act."—Agreed.

*MR. SHAW STEWART: I ask leave to move, as an Amendment, to add at the end of Section 4 of this clause—

"Provided always that the rates to be imposed on the special water supply or drainage district be levied only on the owners or occupiers within such district, in the terms of the Public Health Act as at present enforced."

MR. J. P. B. ROBERTSON: I have not had time to consider this; but if the hon. Member withdraws his proposal, I will consider it before the Report stage.

Amendment, by leave, withdrawn.

Further Amendment proposed, Clause 17, page 8, leave out "Sub-section 5."

Amendment agreed to.

MR. S. WILLIAMSON: I should like to know how this transfer of powers will affect water supply districts? I have in view the case of a water supply district which includes the large and populous town of Clydebank, which pays about seven-eighths of the rates. Now, surely the people of Clydebank are quite capable of managing their own affairs without the interference of the Commissioners of Supply. I am anxious to see what the Lord Advocate will do in order to obviate the difficulty in which they feel themselves placed. I, therefore, move the Amendment.

Amendment proposed, in Clause 17, page 8, line 39, after "parish," add—

"(6) In the case of a parish or water supply district embracing a burgh or police burgh with more than 7,000 of a population, and which burgh contributes more than two-thirds of the water rates, the management of the district water supply shall be transferred to the Commissioners or other corporate authority of said burgh, and not to the County Council."

*SIR ARCHIBALD ORR-EWING: I should like to ask my hon. Friend whether those parties who pay one-third of the water rate have been informed of this Amendment? It is hardly fair that the whole power of managing this water district should be transferred to the borough of Clydebank without their knowledge or concurrence. I think it is a most unusual thing to steal a march in this way.

MR. S. WILLIAMSON: I do not desire to steal a march. Their rights can be safeguarded.

MR. J. P. B. ROBERTSON: This episode fairly illustrates the peculiar nature of the proposal of the hon. Gentleman. This is neither more nor less than an attempt to embody a private Act in a public Act. I think that this should form the subject matter of a bargain rather than an enactment in a statute. I would, however, invite the hon. Member to consider whether this is not a case which admits of being brought in under a general rule in the Supplementary Provisions relating to special drainage and water supply districts.

MR. S. WILLIAMSON: I will withdraw the Amendment on the understanding that the question can be raised by Amendments on the Supplementary Provisions. I am quite willing that the interests of the district adjacent to Clydebank should be safeguarded.

Amendment, by leave, withdrawn.

Question proposed, "That Clause 17, as amended, stand part of the Bill."

DR. CLARK: How does the Lord Advocate intend to deal with the cases of parishes which are in more than one county?

MR. J. P. B. ROBERTSON: I think it will be possible to deal with that in Clause 45.

Question put, and agreed to.

Clause 18.

Amendment proposed, Clause 18, page 9, line 1, leave out "the Acts of 1889," and insert "this Act."

Amendment agreed to.

Further Amendment proposed, Clause 18, page 9, line 8, after "day," insert "six shall form a quorum."—(*Mr. Hozier.*)

DR. CLARK: I think the number to form a quorum should not be less than a majority of the whole body.

MR. J. P. B. ROBERTSON: I think that six is a fairly reasonable quorum in a body of fifteen, but still it is a matter open to consideration.

Amendment put, and agreed to.

Amendment proposed, Clause 18, page 9, line 9, after "absence" insert "the Sheriff of the County or."—(*Mr. Mark Stewart.*)

MR. J. P. B. ROBERTSON: There has, on this point, been an expression of opinion, not only from Members of this House, but also from various parts of the country which deserves attention. The proposal contained in the Bill is that the Sheriff of the County shall be the Chairman of the Joint Committee, but objection has been taken to that in various quarters, and in many counties it has been thought better that the choice should be left to the Committee itself. I think that that opinion is shared on both sides of the House. The Government are not wedded to the proposal that the Sheriff shall be the Chairman, and accordingly I propose to accept the Amendment most neatly put by the hon. Member for South Lanarkshire, which will leave the Sheriff or, in his absence, his substitute, a member of the Joint Committee, but allow that body to elect its own chairman.

Amendment, by leave, withdrawn.

Further Amendment proposed, Clause 18, page 9, line 9, leave out "and," and insert "or."

Agreed to.

Further Amendment proposed, Clause 18, page 9, line 11, leave out from "chairmann" to end of sub-section, and insert "the Committee shall elect one of their own number to be chairman thereof."—(*Mr. Hozier.*)

Agreed to.

Further Amendment proposed, Clause 18, page 9, line 17, after "appointed," insert—

"Any member of such Committee may resign office by a writing under his hand, addressed to the County Clerk of the county."

Agreed to.

Further Amendment proposed, Clause 18, page 9, line 32, leave out "the Acts of 1889," and insert "this Act."

Agreed to.

Further Amendment proposed, Clause 18, page 9, line 35, after "erection," insert "rebuilding."—(*Mr. J. P. B. Robertson.*)

Agreed to.

Further Amendment proposed, Clause 18, page 9, line 36, leave out "of new," and insert "reconstruction or widening of."—(*Mr. J. P. B. Robertson.*)

Agreed to.

Further Amendment proposed, Clause 18, page 9, line 37, after "works," insert "the erection, enlargement, and maintenance of fishery harbours."—(*Mr. Angus Sutherland.*)

MR. J. P. B. ROBERTSON: I may point out that the insertion of these words in the Clause, as now framed, would not entitle the County Council to spend money on these objects. If that is to be done it must be by a specific clause directing the County Council to exercise this power. I hardly think it would be desirable to raise so important a question at this stage of the Bill.

MR. DUFF: Does the Lord Advocate undertake that it shall be raised at a later stage?

MR. J. P. B. ROBERTSON: I merely mentioned that if this object aimed at by the Amendment were to be attained, it must be by a specific clause

directing the County Council to exercise this power.

Amendment, by leave, withdrawn.

Question, "That Clause 18, as amended, stand part of the Bill," put, and agreed to.

Committee report Progress; to sit again to-morrow.

TRUST FUNDS INVESTMENT BILL.

Order for Third Reading, read.

Motion made, and Question, "That the Bill be recommitted in respect of an Amendment to Clause 3"—(*Mr. Sexton*)—put, and agreed to.

(In the Committee.)

MR. SEXTON (Belfast, W.): I may explain in a few words that the Bill already provides that trustees may invest in the stock of railway companies, and in the stock of water companies trading for profit, subject to certain conditions as to dividend, and also in stock of municipal boroughs. Unless the Amendment I moved is inserted in the Bill, trustees will have power to invest in the stock of the Belfast Corporation, but not in the stock of the Water Commissioners, although their powers rest equally on legislative sanction with those of the Corporation.

Amendment proposed, Clause 3, page 2, line 29, after "stock," insert "or in the mortgages or stock of any Board of Commissioners or Corporation established by Act of Parliament for the purpose of supplying water, and having a compulsory power of levying rates, provided that for ten years past before the date of investment the rates levied shall not have exceeded eighty per centum of the amount authorised by law to be levied."

Question proposed, "That those words be there inserted."

MR. COZENS HARDY (Norfolk, N.): I hope the Committee will agree to the Amendment.

Question put, and agreed to.

Bill reported; as amended, considered; read the third time, and passed.

TEMPORARY DWELLINGS BILL.

(No. 206.)

Order for Committee read, and discharged.

Bill withdrawn.

OCCUPIERS' DISQUALIFICATION REMOVAL BILL.

Order for Committee read.

*MR. CAUSTON (Southwark): I beg to move—

"That it be an Instruction to the Committee that they have power to make provision in the Bill for the removal of disqualification of occupiers and lodgers by reason of the change of their occupation."

My object in moving this Instruction is to include in the Bill other disqualifications. I hope the hon. Member for Chelsea (Mr. Whitmore) will approve of the suggestion I make. His object must be the removal of disqualifications, as it is mine. I am prepared to allow the Bill to go into Committee; but I should like to have my Resolution carried beforehand.

Motion made, and Question proposed,

"That it be an Instruction to the Committee that they have power to make provision in the Bill for the removal of disqualification of occupiers and lodgers by reason of the change of their occupation."—(*Mr. Causton.*)

THE ATTORNEY GENERAL (Sir R. WEBSTER, Isle of Wight): I am afraid I cannot agreed to the Motion, as it opens up a far wider question than the Bill is intended to deal with. The Bill removes a grievance which many revising barristers feel exists, and if the hon. Gentleman persists with his Motion the effect would be the stoppage of the Bill. I cannot suppose the hon. Gentleman desires that.

*MR. CAUSTON: I really do not feel justified in withdrawing my Motion. I must press it to a division.

MR. WHITMORE (Chelsea): I know the hon. Gentleman is most anxious that the Bill should pass into law this Session, and I am grateful to him for the

absence of opposition on his part in the past. But let me point out that he is now taking a course which must prevent the Bill passing into law. I have no objection to the Bill which he is now seeking to graft upon this Bill by the Instruction which he is moving; but I do not think any hon. Member on this side of the House would have thought of moving an Instruction on his Bill going into Committee such as he now moves. It will expand this Bill beyond its proper scope. It must lead to undesirable discussion and unnecessary delay. I beg he will, in a practical spirit, allow the Bill to proceed.

*MR. CAUSTON: I cannot accede to the hon. Gentleman's wishes. Perhaps I may point out——

*MR. SPEAKER: The hon. Gentleman is aware he cannot go to a division?

*MR. CAUSTON: I desire to explain that I did not oppose the Second Reading of the Bill of my hon. Friend, but when I found my Bill for removing other disqualifications was opposed by hon. Gentlemen opposite, I determined to endeavour to get all the disqualifications I desire to see removed inserted in this Bill.

*MR. SPEAKER: Does the hon. Gentleman persist with the Instruction?

*MR. CAUSTON: Yes, Sir.

The Debate stood adjourned; to be resumed to-morrow.

SOLDIERS AND SAILORS DISABILITIES REMOVAL BILL. (No. 24.)

Order for Second Reading read, and discharged.

Bill withdrawn.

MOTIONS.

—o—

MOVABLE DWELLINGS BILL.

On Motion of Mr. Burt, Bill to provide for the regulation of Vans, Vehicles, and Tents used as Dwellings, ordered to be brought in by Mr. Burt, Mr. Caine, Dr. Cameron, Mr. James Campbell, Mr. Elton, Mr. Matthew Kenny, Mr. John Kelly, and Colonel Makins.

Bill presented, and read first time. [Bill 316.]

LOCAL REGISTRATION OF TITLE (IRELAND) BILL.

On Motion of Mr. Solicitor General for Ireland, Bill to establish Local Registries of Titles to Land in Ireland, ordered to be brought in by Mr. Solicitor General for Ireland and Mr. Arthur Balfour.

Bill presented, and read first time. [Bill 317.]

REGISTRATION OF ASSURANCES (IRELAND) BILL.

On Motion of Mr. Solicitor General for Ireland, Bill to consolidate and amend the Laws relating to the Registration of Deeds and Judgments, and to provide for the Registration of other Assurances, Acts, and Matters affecting Land in Ireland, ordered to be brought in by Mr. Solicitor General for Ireland and Mr. Arthur Balfour.

Bill presented, and read first time. [Bill 318.]

PREFERENTIAL PAYMENTS IN BANKRUPTCY (IRELAND) BILL.

On Motion of Mr. Solicitor General for Ireland, Bill to amend the Law with respect to Preferential Payments in Bankruptcy, and in winding-up of Companies in Ireland, ordered to be brought in by Mr. Solicitor General for Ireland and Mr. Arthur Balfour.

Bill presented, and read first time. [Bill 319.]

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METROPOLIS RATING AMENDMENT BILL. (No. 26.)

Order for Second Reading upon Wednesday read, and discharged.

Bill withdrawn.

House adjourned at Twenty minutes after Twelve o'clock.

HANSARD'S PARLIAMENTARY DEBATES.

No. 17.] FIFTH VOLUME OF SESSION 1889. [JULY 17.

HOUSE OF LORDS,

Tuesday, 9th July, 1889.

COMMISSION.

The following Bill received the Royal Assent:—Coal Duties (London) Abolition.

HERRING FISHERY SCOTLAND BILL (No. 149).

Reported from the Standing Committee on General Bills, with an Amendment; the Report thereof received; and Bill re-committed to a Committee of the Whole House on Thursday next.

OFFENCES COMMITTED ABROAD BILL (NO. 149.)

A Bill to amend the law respecting the trial of offences committed by British subjects abroad, and the custody of persons committing offences on the high seas:

BILLS OF SALE BILL (NO. 150).

A Bill to exempt certain letters of hypothecation from the operation of the Bills of Sale Act, 1882:—Were presented by the Lord Chancellor; read 1ª; to be printed; and to be read 2ª on Monday next.

CANADA (ONTARIO BOUNDARY) BILL.

A Bill to declare the boundaries of the Province of Ontario, in the Dominion of Canada—Was presented by the Lord Knutsford; read 1ª; to be printed; and to be read 2ª on Tuesday next. (No. 151.)

COURT OF SESSION AND BILL CHAMBER (SCOTLAND) CLERKS BILL (No. 152).

TRUST FUNDS INVESTMENT BILL. (No. 153).

Brought from the Commons; read a; and to be printed.

REGISTRATION OF COUNTY ELECTORS (EXTENSION OF TIME)BILL. (No. 107.)

House in Committee (according to order); Bill reported without Amendment; and to be read 3ª on Thursday next.

FRIENDLY SOCIETIES ACT (1888) AMENDMENT BILL. (No. 119.)

Read 3ª (according to order), and passed.

WEIGHTS AND MEASURES BILL. (No.141.)

Amendments reported (according to order); and Bill to be read 3ª on Thursday next.

INDECENT ADVERTISEMENTS BILL. (No. 34.)

Commons Amendment considered (according to order.)

THE EARL OF MEATH, in moving "That this House do agree with the Commons Amendment," said that the Amendment was only of a verbal character, and did not alter the principle of the measure.

THE EARL OF WEMYSS: At almost the final stage of this Bill I wish to draw your Lordships' attention to the very stringent character of the measure. It provides that any person exhibiting a picture of an indecent nature in a shop shall be liable to be convicted by a Court of Summary Jurisdiction. The fifth clause empowers any policeman to arrest any person whom he may find to be committing an offence against this Act. Therefore, it would seem that any prudish policeman who sees in a shop window a photograph of the statue of the Venus de Medici may arrest the shopkeeper. In the Bill there is no defi-

nition whatever of the word "indecent," and I think it right to protest against such stringent legislation.

On Question, resolved in the affirmative.

Commons Amendment agreed to.

LOCAL GOVERNMENT ACT, 1888—COUNTY COUNCIL EXPENDITURE.

QUESTION—OBSERVATIONS.

*LORD BELPER, in rising to ask the Government whether they had further considered the claim of County Councils for some assistance towards county expenditure during the current financial year, owing to the fact that the last instalment of the Government grant on account of local taxation, licences, and Probate Duty would not be paid to the County Councils within the financial year, said: It will be within the recollection of your Lordships that some two months ago I put a question upon this subject to the noble Lord opposite, in reply to which he distinctly declined to acknowledge any liability in respect of the arrears of payments for main roads; but as I understood the noble Lord intimated that the Government were perfectly willing to consider any suggestion that might be made in consequence of the exceptional position of the County Councils with regard to their finances during their first year. I think that in a very few words I can show that the position is really exceptional, and that the County Councils are entitled to the favourable consideration of the Government in order that they should not be put in a worse position than they will be in future years. In the first place, with regard to the expenditure of the County Councils, it is perfectly clear that their expenditure will be of an abnormal character during this financial year. They will have to pay the half of the expenditure on main roads for the last half year; and although, of course, that is not a point with which the Government can acknowledge that they have anything to do, yet it must be taken into account in considering what the total expenditure of the County Councils will be this year. But beyond that they will undoubtedly have to find money for an expenditure quite as large as, if not larger, than in any preceding year. They will have to pay the whole of the expenditure on main roads during this year, and I understand they will have to provide for the whole of the grants to Local Authorities which come within the financial year. Moreover, I understand, from the answer given to a question in the other House, that in counties where there are what are called Quarter Sessional Boroughs (that is, with a population of about 10,000), they will be bound to pay back to the Quarter Sessional Boroughs the expenditure on police from last September to last March. Therefore, not only will they have to meet the grants to the Local Authorities during one year from the date on which their term of office began, the 25th March, but their liability so far as Quarter Sessional Boroughs are concerned will begin from Michaelmas of last year. That being the case with respect to their expenditure, I would like to direct your Lordships' attention to their position with regard to receipts. As your Lordships are aware, the Government propose to pay the grants which are to be given for local taxation licenses, and the Probate Duty to the counties according to their respective claims as far as possible during the financial year. I understand that the first payment will be made in November, a payment of considerable amount. I conclude that there will probably be another payment made early in next year and before the end of this financial year; but it is clear that the balance of these payments cannot be made until after the end of the financial year, because the amount to be paid depends upon the amount to be received from the Probate Duty and from the local taxation licenses in these counties; and, although I give credit to the Government for being anxious to make their payments as conveniently as possible to the County Councils, it is clear that they cannot give them that which they do not know will be received, and therefore the last payment, whatever it may be, cannot be paid at all events until some time has elapsed, after the accounts of the year have been made out. There has been one answer which I have heard to that contention. I hardly feel justified in dignifying it by the name of an argument; but it has been said—"Oh, it will be all right; you will yet your money; you will certainly get it two or

three months later, but it will be all the same to you." I do not think it requires any very great force of reasoning to point out that if you have your expenditure running on as usual, and if one of your most important receipts is postponed for two or three months it is not precisely the same thing, so far as your accounts go, as if you had received it at the proper time. So far as the County Councils are concerned, this payment will not only be in arrear this year, but in every year to come; therefore it will clearly be impossible for any Finance Committee with proper regard for good financial principles to treat as an asset within the financial year a payment which will always be made two or three months after the close of the financial year. The result is that at all events for this year the County Councils will be docked of that amount of money which will be paid after the end of the financial year. Now, it is said that this will be a very small sum. It may be a very small sum in regard to the gross amount which the County Council receive, but it may be a very considerable sum relatively to the amount which the County Councils will have to dispose of for their own purposes. It is strictly laid down by Act of Parliament that these payments to Local Authorities shall be made in a certain order, and that every payment to the Boards of Guardians and the other Local Authorities shall be made before a single penny can be devoted to the relief of the County Councils. Therefore although this may only be a quarter of the whole amount, it is very probable that that quarter may be really half of the funds which the County Council may have to devote to its own purposes. Your Lordships will therefore see that this is a matter which enormously affects the financial prospects of the County Councils. I think I have shown that their expenditure this year will not be less, but will be really considerably greater than it will be in years to come, and that during this year the amount to be contributed by Government will be considerably less than it will be in future years. Therefore it is clear that the County Councils will be placed in a very unfavourable position, and that the surplus which is necessary to make up the amount required to meet the expenditure will necessitate an increase in the rates, and make them not only heavier than they will be in the future, but I believe heavier than they have been under the old Quarter Sessions. The County Council of which I have the honour to be Chairman, that of Notts, has already passed a Resolution urging the Government to give the matter consideration, and I believe similar resolutions would have been passed by other County Councils if it were not that many of them have devoted themselves to endeavouring to get from the Government some permanent contribution instead of the proportion of the Van and Wheel Tax which is placed at their disposal. I have not the least intention of going into that matter to-day. I prefer to confine my remarks to what I may call the urgent necessities of the case. I beg to ask the noble Lord the question which I put upon the Paper.

LORD BALFOUR: In the absence through illness of my noble Friend the Parliamentary Secretary to the Local Government Board (Earl Brownlow) it devolves upon me to reply to this question; and I am sorry that the answer I have to give will not be favourable to the noble Lord. I shall endeavour, if the House will permit me, to go somewhat into detail in the matter of figures in order to prove to the best of my ability that the assumption upon which the noble Lord's argument rests—namely, that the County Council has a claim upon the Government—is really without foundation. Supposing the Local Government Bill had not passed, the sum of the grants in aid—taking the case most favourable to the noble Lord—including the extra quarter of a million of a temporary road grant, would have been something less than £3,000,000. But the value of the Licensing Duties handed over to the County Council will, when they are all paid, amount to £4,700,000. The noble Lord said something about the time of payment, and what he said showed that he was not aware that the position of the County Council would be really more favourable than he seems to anticipate. If I understood him rightly, he did not anticipate that there would be any payment during the present financial year until the month of December. I may inform the noble Lord that the first payment will be made during the currency of the present month. If the Local

Government Bill had not passed, nothing would have been paid before the month of September, less than half of the grant would have been paid by the end of this year, and more than half between January 1 and March 31. Now, in the present year, under the conditions I have indicated, the first payment will be made during the currency of the present month and the second instalment before the end of November, making together £2,350,000, or half of the whole sum which is devoted to the purposes of the County Council. The remainder will be paid as early next year as possible. Certainly, enough will be paid to make up the total of £3,000,000 which, under the old system, would have been received before the end of the financial year. Under the former arrangement rather less than £1,500,000 would have been received by December 31, but under the present system £2,350,000 will be received by November 30. The noble Lord argued as if this was a question of the County Council. The real way to look at it is to consider the position of the ratepayers. Undoubtedly the County Councils have to discharge some obligations which were not laid upon the Quarter Sessions, and consequently the rate is not levied by Quarter Sessions. Where that is the case, the burdens are really burdens transferred from one Local Authority to another. They are not increased burdens laid upon the ratepayers. If the County Councils say that they have to pay very heavily for other authorities, the reply is that the burdens on the ratepayers are not new. The noble Lord, having concerned himself with County Government, will know that a very large sum, amounting to £600,000, has been given to the Boards of Guardians for the first time under the 6th sub-section of the 121st section of the Local Government Act. That is a burden taken off the constituents of the Boards of Guardians; and, therefore, if the County Council rate seems to be larger, the rate levied by the Boards of Guardians for their purposes will to that extent be smaller. My Lords, I should like further to add that there is really no ground for the suggestion which seemed to run through the remarks of the noble Lord, both on this occasion and on the former one, that something has been withheld from the County Councils which would have been paid to the Quarter Sessions if the Local Government Bill had not passed.

*LORD BELPER: The noble Lord misapprehends me. I do not think I said anything to indicate that I was under that impression.

LORD BALFOUR: Then I entirely misunderstood what the noble Lord said, and I, of course, accept his disclaimer. I would just like to make this clear—entirely acquitting the noble Lord of having fallen into the error—that it is a necessary consequence of the method upon which grants in aid are calculated that you cannot say what the amount of the grant in aid is until you know what sum it is to be calculated in aid of. Therefore, in former times the grant in aid seemed always to be for one year, when it was really for the previous year. The grant to the County Council cannot be calculated in a different way, and cannot be paid relatively earlier than was the case with the former grants in aid. Now, my Lords, I think I am entitled to make this point. There really has never been any promise on the part of the Government of such a temporary payment as the noble Lord suggests should be made. No promise was held out in the Budget, either of last year or this year; no promise was held out while the Local Government Bill was passing through either House of Parliament, and no such claim was ever made during that time. The present Government have really given a very substantial increase in aid of local burdens from the Imperial Exchequer. In 1887-88 the sum of a quarter of a million was given as a temporary road grant. In 1888-89, as I have already told your Lordships, nearly £600,000 more has been given to the Boards of Guardians. There was a sum of £542,000 paid in the month of March, and a further sum of £46,000 was paid only last week; that is a temporary grant out of the Probate Duties allocated in the financial year 1888-89. This year the Government—that is, outside the Van and Wheel Tax, to which the noble Lord alluded—have given what they estimate to be an increase of £1,700,000 from the Imperial to the Local Revenue. I quite agree that the whole of that sum will not go in aid of the burdens of the County Council; a great part of it—I think not much less

than £12,000, probably a little more—will go in respect of the grant for indoor poor and other purposes; but giving that grant in aid to the County Council is still a very substantial relief to the local ratepayer. There is only one other point to which I wish to refer, and that is as to the question of roads. The noble Lord said that a considerably greater burden had been laid upon the County Council for the maintenance of roads than had been the case formerly. Partly that has been in substitution of the relief of payment from the subordinate Local Authority.

*LORD BELPER: I do not wish to interrupt the noble Lord, but I did not in the least make any claim on the ground of roads, because I understood that that question was answered specifically in this House some short time ago; but I did, of course, notice the fact that the County Councils would have to bear not only the whole of the maintenance of main roads for this year, but also the last half of the year which is in arrear.

LORD BALFOUR: I perfectly understood that, and that is the point I was coming to. I do not think there is any ground for the assumption that the County Council will have to pay the whole additional expense of the roads during the present financial year. I know there is diversity of practice in some counties. If the County of Notts has taken the course of keeping up the roads without contracting for their maintenance with the parishes, then, no doubt, the County Council will this year be in an unfortunate position. But I am informed that that is a course taken by an extremely small number of counties. The great majority have contracted with the Local Authorities for the maintenance of the roads. My Lords, I have endeavoured to look at this question from the point of view of perfect fairness, and I think I have made out the case that the burden which the ratepayer, on the whole, will have to pay to all the authorities to whom he has to pay will not be greater than it has been in previous years; and I venture to suggest that that would be a wise and prudent line of argument for the County Councils to take up if they are pressed by their constituents on the ground that the rates which they levy are larger than those which have been in times past levied by the Quarter Sessions.

*EARL SPENCER: My Lords, I cannot help thinking that the noble Lord rather misconstrued the tone of my noble Friend's question. My noble Friend did not take the view that the Government have not fulfilled their pledge, or that they were in arrear with payments of grants for last year; but the point which he made, and that with great force, was this—that it was of the greatest possible importance to the different County Councils that the Government should advance money on account of the new financial arrangements with regard to county expenditure, and not leave them in a difficult position on account of the new charges put upon them. That is a very important point, and I would remind the noble Lord that there have been a great number of additional charges which the county have to pay, such as those in respect of union officers, and Boards of Guardians will be in great difficulty if the county are not able to meet those charges pretty promptly. Many of these payments, again, can only be made, by the statute, out of the Exchequer Fund, and this fund does not exist at all until the Government makes some contribution to it. Though I agree with what the noble Lord said about the general relief of the taxpayer, and the improved position in which the county taxpayers will be placed, it seems to me that the noble Lord somewhat underrates the importance of prompt payment on the part of Her Majesty's Exchequer. It is satisfactory to hear that the Government propose to make a payment in July as well as in November, and I sincerely trust they will be able to do that, because I feel convinced very considerable difficulty will arise in County Councils if they have not some money from the Exchequer Fund in order to meet their liabilities. It would be a great misfortune if a higher rate had to be imposed this year in counties, because it would disappoint extremely those who expect great benefits will be derived from this Act. There is also the point which was alluded to by the noble Lord as to the change in the financial proposals of Her Majesty's Government. Whether they were too liberal or not is not for me to say; but it will be recollected that a hope

was held out that a very much larger rate of subvention would be made, and that something like £800,000, which it was expected would be realized from the Van and Wheel Tax, would go in relief of local taxation. There is a great feeling on the part of many County Councils that the Government ought to have fulfilled their pledge with regard to that matter, but that is a different point from that which my noble Friend raised.

THE PRIME MINISTER AND SECRETARY OF STATE FOR FOREIGN AFFAIRS (The Marquess of SALISBURY): I wish to make one observation only with reference to the last sentence of the noble Earl's speech. I have heard that one or two County Councils have passed resolutions in favour of the Van and Wheel Tax; but I think the noble Earl a little exaggerated when he said that was the opinion of a great many of them. My own impression is exactly the other way.

*EARL SPENCER: I agree with the noble Marquess in reference to the position taken up by many County Councils as to that particular tax. He was perfectly right that many County Councils would not give an opinion in favour of it. What I meant was that the general opinion is that, in some shape or another, the Government should fulfil their promise of a larger contribution towards the relief of local rates.

*LORD DENMAN: My Lords, the whole complaint in this matter, I think, is that the measure was passed without the advice and almost without the consent of your Lordships' House. The suspension of the Standing Orders in both Houses of Parliament was perfectly in accordance with what has been done on other occasions. I was told that it was not possible to pass and repeal a Bill in the same Session; but that is not the case, because the Jewish Disabilities Bill—one of the best Acts that ever was passed—was passed and repealed in the same Session. In the Bill of Mr. Campbell of 1831 for a general registration there was a clause that the Bill might be repealed at any time in the same Session. That was a most remarkable Session, because it ended on the 17th December, and Parliament was adjourned to the 17th January. My Lords, I voted against the Local Government Act and tried to repeal it, and the more I see of it the more I dislike it. If Columbus's egg was unboiled, and like Humpty Dumpty fell from a wall, not all the king's horses and all the king's men could place it on that wall again; but if it had been hard-boiled it might have stood upright, whatever Party or Parties had introduced it. I see that everything will have to be done with one quarter of the number of Magistrates, and the duties of rural Local Government Boards and of attending to the roads will be cast upon the County Councils in addition to their former duties. I believe the Earl of Rosebery himself, whose headache is so described by *Punch*, would wish to see it repealed, and that everyone would prefer legislation to administration with a smaller staff, and that the observations of the noble Lord were not justified.

*LORD BELPER: My Lords, I only wish to say a few words in regard to the remarks of the noble Lord. I did not refer to the position of other Local Authorities. I fully admit that they will receive a larger grant in aid in the future than in the past, and I never questioned that the Government had carried out their pledges in this respect; but the point which I intended to draw your Lordships' attention to was that the County Councils will this year have to ask for a much higher rate if the Government payment is not made within the financial year. What has been said by the noble Lord in answer does not, I think, quite deal satisfactorily with the matter. With regard to the remarks of the noble Lord as to main roads if the Council contracts with the Local Authority for their repair, undoubtedly the whole expense will not fall within this financial year; but it only postpones the evil day, for whenever we do take over the management of the main roads into our own hands entirely, we shall have to pay both the amount due for last year and the sum due for the current year, and, therefore, I do not think the noble Lord's suggestion on that point would put us on any better footing. It is not a question of a larger sum being paid to the Local Authorities than has been paid in the past, but the importance of the point as regards the payment to the County Councils during the financial

year is one which can hardly admit of doubt.

DELAGOA BAY.

*LORD CASTLETOWN: My Lords, I rise to move—

"That in the opinion of this House it is absolutely necessary, in view of the fact that the Portuguese Government has without justification and against the protest of Her Majesty's Government forfeited the railway concession granted to the Delagoa Bay and East African Railway Company, that immediate action should be taken by Her Majesty's Government to obtain from the Portuguese Government adequate compensation for the debenture holders and shareholders of the company, and that such steps be adopted as may seem fit and effectual to protect all British interests involved."

I desire to apologise to the House for having postponed this Motion; but I think I was justified in doing so, having regard to the fact that I was anxious to consult the convenience of the noble Marquess and of other Members of this House. I must apologise also, before I go further, if I happen to be somewhat lengthy in my remarks upon this important question, and also by anticipation for the necessity I may be under of reading somewhat copiously from notes. The question is so involved and so intricate that I must ask the patience of the House while I deal with it in a full and, I trust, exhaustive manner. In submitting this Motion, my intention is to put before the House as clearly as I can, and as rapidly as possible, the history of the Delagoa Bay question, as we at present have it, and then to deal with three or four salient points in the case that were connected with, and implicated in it. The history of the construction of the railway is not a very lengthy one. In 1883 a concession was granted by the Portuguese Government to Colonel E. M'Murdo for the construction of a railway from Port Lourenço Marques, in the Portuguese territory, to the Transvaal frontier; and the intention was, as soon as that railway was constructed to the frontier, to create another line which was to be worked by a Netherlands Company in Amsterdam with capital received from Dutch investors in Amsterdam, and also from the Boers, and to complete a regular line, running from Lourenço Marques, up to Pretoria in the Transvaal. Colonel M'Murdo, the concessionnaire, instead of asking for a cash subvention, which he might have been entitled to ask for, agreed to construct the line without any pecuniary assistance from the Portuguese Government; but he provided, and I think he was wise in doing so, that as a consideration he should receive from the Portuguese Government two guarantees—I would ask your Lordships' special attention to these two guarantees:—first, that the Government should allow no line of railway to be built in competition; and, secondly, that the Company to be formed to carry out the concession should have the absolute and uncontrolled right to fix tariff rates. These demands were conceded by the Portuguese Government, and a special provision, which is very noteworthy, was inserted in the concession to the following effect:—

"Article 20, paragraph 2.—The Government will not be empowered within the territory of the district of Lourenço Marques, and upon a strip of land of less than 100 kilometres in width, on each side of the line belonging to the Company, to build or allow any other railway which, running from the coast of the district of Lourenço Marques to the Transvaal, may compete with this line"

The geographical result of this clause was that no competing line could be constructed within Portuguese territory. The absolute right of fixing tariffs was conceded by the Government as a part of the statutes of the Lourenço Marques and Transvaal Railway Company, a Portuguese company, which, under the requirements of the concession, was formed to take such concession over and build the railway. This was authenticated by Statutes passed in 1884, the concession having been granted in 1883, and they were ratified again, as is proved by a letter dated May 4, 1885, from the Minister of Portugal, in answer to a letter from the company, in these words:—

"With regard to the second point of your letter, I am directed by the said Minister (that is, the Portuguese Minister) to inform you that there cannot be the least doubt that the Lourenço Marques and Transvaal Railway Company has the right of fixing its own tariffs as it may deem fit without the intervention of the Government, as is expressly set forth in the statutes approved by the Government on May 10, 1884."

Therefore, my Lords, that makes clear the two points, that there was to be no other railway allowed to be built, and that the company should have the absolute right to fix tariff rates. After a

lengthened negotiation on other points, the Delagoa Bay Lourenço Marques Company was formed, and began to construct the line in 1887, according to the specifications and authorization of the Portuguese Government. The line to the frontier was shown on the plans which were placed before the company, and the actual line was marked and signed by the engineer of the Portuguese Government. The company began to build, but in the course of construction the Portuguese Government called upon the company to build a further five miles of extension, saying that the frontier had been moved, and that the frontier to which they had already built was not the real one. The Portuguese Government sent to the company—and this was also peculiar—a plan without marking the frontier on it. After certain protests and negotiations with the Portuguese Government, the company agreed to build to the new line of frontier, leaving the question of compensation to be decided as had been arranged by the 40th article of the concession. The line was opened to the originally marked frontier, and was sanctioned by the Portuguese Government as being constructed according to their wishes and plans. But then came the question of the extension. On this question delays occurred and negotiations supervened, and great difficulty was experienced by the company, because they could get no definite point marked to which they were to go. Those negotiations were protracted until October 4, 1888, when suddenly the Portuguese Government indicated a fixed point to which the extension was to go, although they did not say "this is the frontier," saying at the same time that the line had to be constructed by June 24, 1889. Now, my Lords, to do this was actually impossible within the eight months allotted, because during six of those months the season was such that it was absolutely impossible to build in that country owing to the rains, which are at that time abnormally heavy, and on account of the great sacrifice of human life which would result from any railway construction during that period, fever being then especially rife. But the company were determined to do their utmost to meet the views of the Portuguese Government, and they proceeded to carry out their wishes as rapidly and as far as they could. Rails and other materials were sent, and bridges were put in hand, and a second engineer was specially engaged. The extension was actually begun on May 21, and a telegram dated June 12 said that great progress had been made. A telegram was sent to the engineer to know when he would finish the extension, and he replied about the end of September. But part of the original line had been carried away owing to the heavy rains; and, in order to avoid the floods, a relocation of a portion of the line had been rendered necessary, and it was pushed on as rapidly as possible to meet the views of the Portuguese Government. On June 24th, however, notwithstanding protests from Her Majesty's Government and the Government of the United States, the line was seized and the concession cancelled; the company's *employés* were threatened, and damage was done by the line being torn up. My Lords, that is, roughly, the actual history of the case up to the present time. There are now four salient points to which I wish to draw your Lordships' attention—the tramway, the tariffs, the frontier, and *force majeure*. The first point is one of supreme importance. It seems that there was a secret arrangement between the Portuguese Government and the Transvaal to make a tramway which was intended to compete with the Delagoa Railway. On this point I must, I am afraid, say, though I do not like to use strong language in a matter of this kind, a great deal is owing to the improper action, to use no more vigorous words, of certain members of the Portuguese Government. In order to vindicate that statement, I must beg your Lordships' patience for a short time, while I put you in possession of certain further dates and facts. There had arisen doubts in the course of the negotiations to which I have referred whether any other concession existed, and the Portuguese Government had been asked whether any other concession existed for the making of a railway or tramway which might compete with the Delagoa Railway to the frontier. This question was continually asked, not only by the concessionnaire, but by the company, and it was continually answered in the

negative by the Portuguese Government. There did exist, however, a secret undertaking, of which the company were not put in possession. On July 15, 1886, the Portuguese Government stated—

"That no other concession exists for the construction and working of any sort of means of communication whatever across the Lourenço Marques district."

Nothing could be plainer than that; yet on May 17, 1884, two years previously, a Memorandum of Concession had been given to the Tranvaal Representative at the Hague, which was not published. The actual official document was as follows:—

"Lisbon, May 17, 1884.

"The Portuguese Government agrees to concede the construction of a tramway which shall join Lourenço Marques to the frontier of the Transvaal for the conveyance of material for the railway from the Transvaal frontier to Pretoria, should the concessionary company of the railway denominated Lourenço Marques fail to finish its line with the rapidity necessary for insuring the commencement of the works of the Transvaal Railway. The Portuguese Government equally engages that the tramway may be used for the transport of goods and passengers in case the two concessionary companies do not come to settlement in respect to general rates for international traffic. It is distinctly stipulated that the two Governments are at liberty to propose and offer reasonable terms which may serve as a basis for any agreement, and that the mutual consent of the two Governments upon the question of international rates is necessary. It is also laid down that in all matters connected with the concessions, and in the organization of the companies, respect shall be had unto the dispositions of the Portuguese law relating to such matters, as also to the terms of the contract of December 14th, 1883."

Then, my Lords, we again find that confirmed by a letter of May 4th, 1885; but notwithstanding that, we have the statement on July 15th, 1886, that no such concession exists. My Lords, in face of those facts, I do not think the language I have used in this case is too strong. The terms of the letter of May 4th, 1885, from the Ministry of Portugal are very plain. I ask your Lordships' leave to call attention to the very words of it:—

"In all the negotiations with the Transvaal on this subject, the rights established in the contract of 14th December, 1883, have always been respected, and in no case could the concession of the Tramway referred to prejudice the Concessionaire."

And also with reference to the tariff the Minister uses these words—

"I am directed by the Minister to inform you that there cannot be the least doubt that the Lourenço Marques and Transvaal Railway Company has the right of fixing its own tariffs, as it may deem fit without the intervention of the Government as is expressly set forth in the Statutes approved by the Government on May 10th, 1881."

Now, my Lords, to my mind it is perfectly clear that this concession of the tramway was kept in reserve. It is very singular that recently we have had clear evidence of what the object of this agreement with the Transvaal was from a recent speech in the Cortes in Lisbon. Actually at the time the decree was signed by the King of Portugal, at the instance of his responsible Ministers, stating that no other concession existed, that memorandum was in existence, and ready to be utilized when the time arrived. The intention of this secret agreement is made quite clear when we read the speech I refer to, and which was uttered in the Cortes on May 1, 1889, by Senor Fuschini, who summarised the declarations of the Government as follows:—

"(1) The term for the construction of the Lourenço Marques Railway as far as the Transvaal frontier will expire on June 24th next, and the Government are firmly determined not to extend it; (2) that a promise has been made to the Transvaal of the concession of a tramway from the Transvaal frontier to Lourenço Marques, in the event of the Portuguese and Dutch companies not coming to an agreement with respect to the railway tariff rates."

In the course of his speech, Senor Fuschini said:—

"His Excellency the Minister of Marine said that the Government were bound, on account of the declarations made by their predecessors, to acknowledge the right of the company to fix the railway tariff rates independently of the Government, but he felt no apprehension on the subject, because he was in a position to coerce the company in two ways—*i.e.*, by means of the rescission of the contract and by the tramway."

That is to say, he (the Minister of Marine) was in a position at any moment to spring upon the Company the concession of the tramway or to rescind the contract. Now, my Lords, I come to the next salient point, and that is, the question of fixing the tariffs. The letter from the Ministry of Marine and the other documents which I have referred to, prove clearly that the right of fixing tariffs lies with the Company. But we may be told that as the Company did not come to terms with the

other company as rapidly as they ought to have done, the Portuguese Government were right in coercing the Delagoa Bay Company. That company has, however, done all they could to come to an agreement with the Netherlands Company in reference to the tariff, but their Board would not agree even to the tariff which has been formulated by the Portuguese Government. Every effort has been made by the Delagoa Bay Company to come to an agreement for fixing the tariffs, but no agreement was arrived at, and we have been pressed into the position which we now occupy. The importance of this question of fixing the tariffs I desire especially to point out to your Lordships, because it is really the salient point of the whole question. In point of fact, when it was discovered that the Delagoa Bay Company were determined to exercise their power of fixing the tariffs, and it was discovered that it would be difficult to coerce the company, or drive them from their position, it was resolved to take that power from them. It should be remembered that that very power and right of fixing tariffs was in all probability the inducement for sending British capital into that country for the purpose of making the railway; a right and power which would in the near future in all probability make this a very advantageous enterprise. My Lords, there can be no doubt that that right to fix tariffs was believed in by all those who invested their money in this railway. That right was certified by Ministerial decrees and solemn pledges. All the pledges which were given have been broken, and broken not by the company which entered into them, but by means of the action of the Netherlands Company, who refused to agree to anything that was proposed, and who eventually contrived to land the Delagoa Railway Company in the position in which they have been placed. My Lords, I would like to quote for one moment from a letter of Lord Derby, dated February 7th, 1884, dealing with questions affecting South Africa. At the end of that letter he uses the significant words that "the Delagoa Railway will absorb all the traffic which the Transvaal can bring upon it." That traffic will undoubtedly pass along it in the future, and will prove how valuable an asset this right of fixing tariffs really was. It is quite clear that the enormous traffic which is now passing over Natal, and which is growing every year in volume, will eventually pass over the Delagoa Railway from the goldfields of the Transvaal, and from the at present almost unexplored land to the North and North-East, and that the line this Company has constructed will, in the near future, be a most valuable property. Now, the question of frontier is one to which the Portuguese Government attach very great importance, and they say the fact that the Delagoa Bay Company has not carried the railway to the frontier has more or less invalidated its contract with the Government. My Lords, I hardly think that is the case. In the first instance the company was instructed under the concession to build up to a point where the word "frontier" was marked on a plan which was official, and which was signed by Engineer Machado, the Portuguese engineer. When the line was built or in process of building, the company was ordered to proceed to build an extension to an undenominated point. This they refused to do so until they received clear instructions where they were to go to and until they knew where the frontier was to be. They might otherwise have been asked to build into the desert. After most tedious negotiations they were informed that such and such a point was to be the limit, but that it was not the frontier. The frontier is not yet fixed, and though the company have built according to their concession to one frontier point, and even under protest have built and are building a further extension to another point, yet, after all, their line has been confiscated, one of the reasons given being that they have not built to the frontier —the frontier which is not yet fixed. Surely a weaker or more childish pretext was never utilized wherewith to do an act of extreme injustice! Having done all they could to meet the views of the Portuguese Government, on the 24th of June, the result is that their line was seized. Now, my Lords, I come to the next question, and then I shall finish —that is the question of *force majeure*. The Portuguese Government said there was no case for urging what was called *force majeure*. Now, what are the facts? The company was told to build the line between the 8th October, 1888, and July

24th, 1889. They gave the company a limited and impossible time within which to make this extension. They knew that six months of the eight were in the rainy season, when no work could be done. As it happened these were exceptionally rainy months, and they have always naturally been very feverish months. I will call to your Lordships' attention a Report of the Portuguese Engineer himself. He was on the coast surveying for this very railway in the months of November, December and January, during, I think, 1882, and this is what he writes to his own Government, which now tells us in so many words that the time fixed was quite sufficient, and that there was no pretext for not completing the line within the time stipulated. Major Machado said:—

"I had no choice as to working in the field at a season quite unfit for the sort of survey that was requisite."

And again—

"The incessant rain of the months of November and December caused us considerable suffering and prevented the works from proceeding at a rate at all proportionate to the expenses of the staff engaged on it."

That, my Lords, was merely with reference to the work of surveying, and I will leave it to your Lordships to say what the work would be of turning over new soil in a fever-stricken district. The sacrifice of life would have been enormous, and owing to the rains the task would have been impossible. In January and February much of the line was damaged by abnormally severe floods, and the Portuguese Government knew it would take time to repair those breakages. The company's engineer reported the flood as having risen 17ft. over the line in places. To make it safe in the future he had had to re-locate it. This had been done, and the extension works were in full progress and would have been complete by September. Yet, with all this in view, the Portuguese Government informed the company that they had no other course but to confiscate, notwithstanding what I maintain is a clear case of *force majeure*. I have given your Lordships a straightforward and common-sense view of the matter, and have avoided, I hope, saying one harsh or unjust word. But it is not only a question of common sense. The Delagoa Bay Company is undoubtedly in the position of having legal right on their side. They have taken the opinion of some of the most eminent English counsel—Sir Horace Davey, Sir Henry James, Sir Charles Russell, Mr. Underdown, and Mr. Kirby, and those gentlemen are unanimously of opinion that

"All the terms of the concession having been complied with, the Portuguese Government has not the power of forfeiture which it claims to exercise; and even if the company is liable to construct the extension, the question of their liability would be a matter for arbitration within the arbitration clauses in the concession; that the period fixed for the work of extension is unreasonable, and the rainy season and the storms above referred to constitute a case of *force majeure*."

My Lords, I will not at this hour and after so lengthy a speech dilate on the larger issues involved in this matter, but I venture to suggest that English capital will cease to flow to foreign countries where it has been enormously invested in numberless companies, if it is to be exposed to the danger of being forfeited as it has been in this case, when the contract under which that capital has been invested has been carried out. My Lords, I do not want to use harsh language in regard to the action of Portugal in this matter, but I would ask your Lordships to remember that England has made enormous sacrifices of life and money for the sake of Portugal. Portugal still owes us a very heavy debt, but whenever we have had dealings, commercial or international, with that country there has been a captiousness shown by Portugal which is most unbecoming. We in England have stuck to our undertakings with Portugal, but the Portuguese have on the other hand very often dealt with English subjects in a discourteous, harsh, and sometimes unjust manner. I will ask your Lordships, ought there not to be some limit to the forbearance of England with a Power which does not carry out fairly their engagements between man and man? If I have brought my case home to your Lordships, I trust I am not too sanguine in hoping that your Lordships will recognize the justice of the cause I am advocating, and will give your assent to the Motion which I have placed on the Paper, and which I now beg to move.

Moved, That in the opinion of this House it is absolutely necessary, in view of the fact that the Portuguese Government has without justification and against the protest of Her Majesty's Government forfeited the railway concession granted to the Delagoa Bay and East African Railway Company, that immediate action should be taken by Her Majesty's Government to obtain from the Portuguese Government adequate compensation for the debenture holders and shareholders of the company, and that such steps be adopted as may seem fit and effectual to protect all British interests involved. (*The Lord Castletown.*)

*LORD FITZGERALD: My Lords, at this late hour I am unwilling to detain your Lordships at any length after the speech in which my noble Friend has so fully gone into, and so thoroughly made clear a subject which otherwise might have appeared complicated. In fact, he has gone into the subject in the completest manner, and has dealt exhaustively with the details of the case. It is a subject of which I have no special knowledge, and I should not have risen to address your Lordships if I had not felt that the honour and the interests of England and the protection of its commerce, and of Her Majesty's subjects are involved in the question now before the House. The question does not relate merely to the money—the £500,000—which the English company has advanced, but it has an interest far beyond. Last week, as your Lordships may have seen, the *Times* published the decree, which I will call for the present a decree of confiscation, with the reasons which were given for it. But it was not founded on realities. If the right of the Portuguese Government to pronounce this confiscation is not clear, and legal, and just, it becomes an act of spoliation. That decree was signed at the earliest moment at which it could be signed. Even if it had been legal and just, the elaborate reasons given for it by the Portuguese Government must have been prepared long beforehand, because they are so lengthy. Whilst the Portuguese Government complain of delay, they do not for one moment offer a contradiction to the case (amply made out by my noble Friend) that there has been on the part of the Portuguese Government a deliberate violation of some of the main features of the concession granted in 1883, to which this company has succeeded. They do complain of delays, but there was no delay on the part of the English Company, that they could complain of at all. They make a long parade of the benevolence of the Government of Portugal to the original concessionnaire, and to the company which was formed, but which failed to make the railway; but there is no allegation of anything which shows that blame is attributable to the English company, which was not formed unti 1887. On the contrary, one of the statements made is that the Chairman had declared categorically to the Government that the railway should be completed upon the terms, and within the time fixed by the contract, and from that time the works have been continued and there is no complaint. The formation of this railway sprang out of the Treaty of 1875, to which England was to some extent a party. That treaty was made between the Government of the South African Republic, now the Transvaal State, and the Portuguese Government, and it contained stipulations for the construction of a railway connecting the district of Lourenço Marques with the Transvaal State. As the Portuguese Government now complain of the delay which has occurred, one is surprised to find that nine years elapsed from the making of that treaty before any step was really made to carry it out. One portion of the treaty was that the Government was to furnish a subvention equal to one half the amount necessary to construct the railway. From the time when the English Company took up the original concession there has been, as I read the documents, no delay which could fairly be complained of. My noble Friend has called attention to the fact, upon which the question of legality depends, that the contract and concession had been carried out to the point marked out as the limit to which it was to be carried upon the plans accompanying the concession. Upon them there was a line drawn showing what was supposed to be the frontier. On the documents now before us I find that the English Company made the line up to the frontier, and completed it within the enlarged limit beyond the time originally fixed. If this be well founded, I must say I agree with the English lawyers who have expressed an opinion on this subject, that the Portuguese Government*

in declaring the concession to be forfeited, have acted illegally and unjustly. The foundation of my noble Friend's case is that as the terms of the concession have been complied with, it could not be withdrawn from the Company by imposing the further obligation of carrying the line five or six miles further to a point then undefined. The concession itself, with the documents affixed to it, show why it was granted in this form to Colonel M'Murdo. A document from the Ministry of Marine and the Colonies under the signature of the King, dated the 14th of December, 1883, sets forth that by the treaty of December 11, 1875, and approved by the law of April 20, 1876, the Portuguese Government were authorized to assist the construction of the railway by means of a subvention to the extent of one-half the cost of the works, in addition to other concessions in the said treaty contained. Further, it set forth that the Government had received a proposal for the construction of a railway from the port of Lourenço Marques to the Portuguese frontier, which dispensed without any subvention or guaranteed interest, "a point of unquestionable advantage." This was the foundation on which this concession was based, that the railway should be constructed without calling upon the Government for any assistance in money. And then it proceeded to decree approval of the contract made between the Government and John Burnay, as the representative of Edward MacMurdo, for the construction of a railway to run from the port of Lourenço Marques to the frontier separating the Portuguese territory from that of the Transvaal State. This contract liberated the Portuguese Government from the obligation to grant a subvention of one-half of the whole estimated cost. As to any non-completion of the five or six miles, it could have had no effect if the company had failed by reason of natural difficulties, by reason of the *force majeure*, by reason of time being necessarily required to arrange for additional capital, and by reason of the other circumstances to which my noble Friend has adverted, to complete that additional portion within the period fixed. Whatever right the Portuguese Government might have had to deal with that five or six miles of line, that in no way affected the validity of what had been done before, and could in no way justify them in seizing the whole of this line. But, in truth, my Lords, it is perfectly plain to me from the character of these documents that there were third parties here who were putting pressure on the Portuguese Government. It is not necessary for me to say, but I can guess who the confederates may be. Documents have been read by my noble Friend which throw considerable light on the matter. So late as June 1888, the Minister for Foreign Affairs sent the following telegram to the Portuguese Legation at the Hague:—

"Transmit Blokland following Resolution:—Portuguese Government is prepared to exact from the company—'(I.) Immediate presentation of surveys and construction last section line to frontier. (II.) And simultaneously agreement tariffs requested by Transvaal, if Transvaal Government on its side undertakes (1) to fix frontier, according proposal and convention already formulated; (2) to establish terms second part memorandum, May 17, 1884, previous agreement with Portuguese Government as to Table International Tariffs which must be adopted by Portuguese company. If latter refuses adoption proposal, Government will then concede tramway, and by preference canal to Transvaal Cocessionaire Company.'"

Referring to the proposals of this telegram, the representative of the Transvaal, Blokland, in a despatch of July 14, 1888, said that his Government was disposed to assist in the delimitation of the frontier proposed by the engineer Machado, if the Portuguese Government undertook to concede as speedily as possible, and not later than the 1st of December next, either the railway at present conceded to the Portuguese Company, or a steam tramway from the Bay of Lourenço Marques to Komatipoort, if before that time the Portuguese line should not be finished to the frontier, or the agreement should not be made between the two companies as to the junction of their lines and as to the tariffs under the auspices of the two Governments, in conformity with the Memorandum of May 17, 1884. So that if the English company did not agree to regulate its tariffs according to the will of the Transvaal Government, it was to be squeezed out, and the line was to be transferred to the Transvaal; and if this was not done the Transvaal was to be at liberty to make another line. The statement

of my noble Friend relieves me from the necessity of making any further statement of the facts of the case. It is impressed upon my mind that there is a combination behind all this, and a desire to squeeze out the English Company, which would seriously affect the interest of the English commercial world. This is a very grave question, far exceeding anything that is at stake in the Delagoa country or in South Africa. My Lords, I never wish to use an expression which would interfere with negociations which may be going on, but I am satisfied, speaking for myself, that there is a combination behind, and that Portugal herself does not see the dangers which lie before her. The Transvaal wants a port and a railway; and if the Boers get to Delagoa Bay and to Lourenço Marques, and get possession of the line, Portugal will soon be squeezed out of the whole. But, my Lords, that is not the present question. I, for one, am quite satisfied as a general rule to leave the protection of the interests of financiers in their own hands. But there has been a suggestion coming from Lisbon that Portugal means to stick to her rights as claimed by her. What, in these circumstances, I protest against, is the statement that this is a case for arbitration. It is not a case for arbitration or for correspondence; it is a case in which the power of our Government should be put in action. If the Company is wrong, if Portugal is right in law, if it has the right to disturb this Company's possession, to seize its railway and rolling stock, to declare the forfeiture of that upon which the Company has spent half-a-million of money, be it so, notwithstanding the disastrous effect on Portuguese credit, and generally upon foreign securities. But if the English Company has completed the railway in the terms of the concession, and was not bound to carry out the additional line, then there should be complete restitution made, or if that is not to be obtained, there should be ample compensation given, and I trust the Government will do their best to obtain it.

*LORD STANLEY OF ALDERLEY: My Lords, I rise to deprecate the precipitation of the Motion of the noble Lord, and, I might say, its peremptoriness. It is only a week since a statement of the Portuguese Government was given to the public. This is not an International affair, but one for the Law Courts of Lisbon, and for Consular rather than diplomatic action. With what has been said about the construction of this line of tramway, it does not appear to me that it was intended to be made with any other intention than that of being an assistance to the railway. It ought not to be forgotten in dealing with this matter that we were the first to discourage Portugal from co-operating with us in South Africa, by deserting her in the matter of the "Charles et George," when Portugal had carried out her treaty obligations with regard to the capture of vessels engaged in the slave trade. I think the noble Lord is crying out before he is hurt, and I cannot vote for this Motion because there are no Papers before the House, and I do not think the time has come for expressing a judgment on these transactions.

*THE MARQUESS OF SALISBURY: My Lords, I think the speech which the noble Lord opposite has delivered is a very interesting and useful statement of the case of the company, and of the view which is taken by a large number of people of this country as to the action of the Portuguese Government. I admire the noble Lord's speech much more than I admire his Motion, which is certainly premature at the present stage of our action, and as to which I hope he will not insist upon taking the opinion of the House. The noble Lord speaks in his Motion of insisting upon compensation to the debenture holders and shareholders of the company, but sufficient time has not elapsed to enable us to know to what extent the proprietors of the line have been damnified. I am fully sensible of the ability and clearness of the statement made by the noble Lord, and I do not wish to appear here as controverting anything which he has said. But I am not able to go with as much fulness and frankness into the affair as he has done, because we have not yet full materials for the determination of all the points which it is necessary should be determined before our opinion can be definitely expressed. As the noble Lord states it, the Portuguese Government imported into the contract a condition which practically did not exist there, a condition which, from the

nature of the country, it was impossible to perform, and because it was not performed they have forfeited the railway which has been constructed under their concession. Stated in those terms the act was as indefensible as any act of a Government can be. It is fair, however, to state that I have seen a despatch representing that the Portuguese Government does not at all admit the justice of that representation. They deny, as I understand, the assertions which are made with respect both to the position of the frontier and the difficulty of completing the line. They deny the existence of any *force majeure*, and they attribute the failure to complete the line entirely to the neglect of the company. I think it fair to state that allegation on their part. I must not be supposed to express the slightest opinion in support of that contention. As far as the facts at present go, they all point, in my judgment, to a different conclusion. I rather bring that forward with a view of impressing upon the noble Lord that the time has hardly yet come when we can adopt so peremptory a Resolution as that which he has placed upon the Paper. There is one circumstance which I think it right also to recommend to the consideration of the House, and which I thought rather disappeared from the speech of the noble and learned Lord opposite. All the agreements of the Portuguese Government were with a Portuguese company, and they have no direct connection or privity with any English company, and the agreements under which this English company have acted were made with this Portuguese company. No doubt it may be true that great injury by the wrongful Act of Portugal had arisen to the Portuguese company, and through them to their English creditors. Still, it is not exactly the same thing as a deprivation by the Act of Portugal of the lawful claims of an English company and of rights conferred upon that English company. There is a distinction to be made between the two cases. I quite accept the doctrine that if British capitalists have been injured in this matter compensation must be exacted, and we have already expressed that view in no ambiguous language to the Government of Portugal. But we must wait to know whether and how far they have been damnified. I have seen it suggested that it is not the business of the English Government to defend British capitalists who have imprudently risked their money, or to recover British debts in all parts of the world. I quite admit that we cannot do so in all cases. There is always some difficulty in determining whether the claims which British capitalists are constantly raising against Governments by whom they say they have been injured are such as this Government ought to sustain or not. There is a celebrated Circular of Lord Palmerston's on the subject, wherein he lays down very distinctly that while this country will not be bound to recover for British creditors the debts which they may have owing to them, we yet reserve to ourselves the right to judge of the merits of each case and to determine whether it is one in which the power of the Government ought to interfere on behalf of the subjects of the Queen. The consideration which it seems to me should weigh in that determination is whether the pecuniary injury which has been done to British subjects is the result merely of failure, or mistake, or misfortune, on the part of the foreign Government, or whether it is the result of deliberate wrong. Wherever it is the result of deliberate wrong there is a strong case for the interference of the Government. Certainly in this case, if the representations of the noble Lord are sustained on further examination, there can be no doubt that the injury done to British capitalists has been done by a very wrongful act. I think it is not desirable that I should go further now than to express again what I have expressed before in this House—that the question before us, the only question with which we can deal, is whether and how far British capitalists have been damnified by this action of the Portuguese Government, and whether the action of the Portuguese Government is as unjust as it has been represented and as the circumstances, so far as we know them, seem to show. If that is the case, undoubtedly we shall hold Portugal responsible for the damage which has been inflicted. The noble and learned Lord alluded to questions of a deeper character—questions of a political and diplomatic kind. They do not arise, as far as I know, on the surface of the case. They may come up hereafter, and

if they do we shall have to deal with them. At present we have to deal only with a case of alleged wrong, in which, if the allegations turn out to be correct, British subjects have a right to claim protection from the British Government.

*The Earl of DERBY: I do not rise to criticize or comment upon what has been said by noble Lords in this Debate, but to express the hope that we may not go to a Division upon this Motion. The speech of my noble Friend was eminently one of an instructive and useful character, and it has given us much information which we had not before, or, at any rate, it has given us, in a connected form, information which we could only have found scattered over many papers. This House and the public ought to feel indebted to my noble Friend for having brought the matter before us as he has done. But I think it would be wise for the interests to which my noble Friend has alluded that we should not come to a Vote on this subject. I say so on two grounds. In the first place, if your Lordships were to come to a Vote it is clear that the decision of the House would not be unanimous, inasmuch as the Government will not support the Motion. As to the facts, we are probably all of one mind. But the effect of going to a Division would be rather to prejudice the case by presenting an appearance of disunion which does not really exist. Then there is another consideration. I confess, even where our own country is on one side and a foreign country on the other, I like to hear both sides of the question. I do not dispute the facts contained in my noble Friend's speech. But, at the same time, we all know that facts may look very different when you hear them stated by counsel on the other side. Therefore, before we come to what, if it be anything at all, is a solemn opinion upon the subject, I think, in common fairness and reason, and following the usual practice, we ought to hear what the other party concerned has to say. My noble and learned Friend who seconded the Motion said it was not at all a case for arbitration. I do not pretend to lay down any general rule, or to determine the precise mode of arbitration which we ought to adopt. But I think a case of alleged injustice affecting individuals is eminently one to be determined by the impartial judgment of some third party, who may be relied upon to hear the whole case and determine upon the merits. I will not go into questions of general policy, or of the Portuguese position in Africa. As to the question how far we ought to intervene for the protection of British capital in foreign countries, the general rule has been undoubtedly not to interfere. Your Lordships will remember cases where foreign loans have been repudiated in a manner not at all consistent with justice, and in fact fraudulent, but there was no interference by Government in those cases. At the same time, I am not at all prepared to say that the general rule laid down by Lord Palmerston does not admit of exceptions. We might find cases of flagrant injustice where Englishmen and English capital were concerned, on a scale so large as that we might be compelled to go beyond our usual practice and take up officially the cause of those injured. But, at all events, we cannot undertake to decide until we have the full facts before us, and until we know what is to be said by the other party, and that in this case we do not know. I hope the noble Marquess will shortly be in a position to lay Papers on the Table; but until then I think we had better postpone coming to a decision.

*Lord CASTLETOWN: My Lords, under the circumstances, after having received the satisfactory answer of the noble Marquess, I think I should be very ill-advised indeed if I were to press the Motion to a Division now. At the same time I was most anxious to bring the matter before your Lordships' House seeing the important interests involved in it, and I hope your Lordships will excuse my using what might be called strong language, though I think the able speech of the noble and learned Lord to whom I am deeply indebted, has shown it was not unjustified. I venture to ask your Lordships' leave under these circumstances to withdraw my Motion.

Motion, by leave of the House, withdrawn.

House adjourned at Six o'clock, to Thursday next, a quarter past Ten o'clock.

HOUSE OF COMMONS,

Tuesday, 9th July, 1889.

FRIENDLY SOCIETIES (SPECIAL REPORT).

Special Report brought up, and read, as follows:—

Sir Herbert Maxwell reported from the Select Committee on Friendly Societies, that it is the opinion of the Committee that there are strong grounds for believing that Richard Martin, in giving his evidence before the Committee, has been a party with others in a conspiracy to deceive the Committee.

Special Report to lie upon the Table.

Ordered, That the Report be considered upon Monday next.

FRIENDLY SOCIETIES (EVIDENCE OF RICHARD MARTIN).

Copy ordered, "of the Evidence of Richard Martin before the Select Committee on Friendly Societies."—(*Sir Herbert Maxwell.*)

Copy presented accordingly; to lie upon the Table, and to be printed. [No. 242.]

ROYAL ASSENT.

Message from the Lords,—That they have agreed to,—Coal Duties (London) Abolition Bill.

Message to attend the Lords Commissioners;—

The House went;—and being returned;—

Mr. Speaker reported the Royal Assent to London Coal Duties Abolition Act, 1889, Bill.

QUESTIONS.

THE CONTRACTING DEPARTMENT OF THE WAR OFFICE.

MAJOR RASCH (Essex, S.E.): I beg to ask the Secretary of State for War whether, in view of the fact that two weeks have elapsed since serious charges of incompetence were brought against the Contracting Department of the War Office, to which no reply has been given, he will bring forward the remaining Vote of the Army Estimates at an early date, when they may be admitted or disproved?

THE SECRETARY OF STATE FOR WAR (Mr. E. STANHOPE, Lincolnshire, Horncastle): This question is one which should be addressed to the First Lord of the Treasury; but, judging by the pledges already given as to Government business, there appears to me to be no prospect of resuming this discussion at present.

MR. HANBURY (Preston): In consequence of the answer of the right hon. Gentleman, I shall put all the charges which have been brought in the shape of a series of questions, so that I may receive a definite "Yes" or "No" without further delay.

THE LAUNCESTON WORKHOUSE.

SIR JOHN KENNAWAY (Devonshire, Honiton): I beg to ask the Secretary to the Local Government Board whether he can state the decision arrived at in regard to the holding an independent inquiry into the condition and discipline of the Launceston Workhouse?

THE SECRETARY TO THE LOCAL GOVERNMENT BOARD (Mr. LONG, Wilts, Devizes): The Local Government Board have received a communication from the guardians of the Launceston Union, in which they express their desire that an inquiry be instituted, and the Board propose to direct one of their Inspectors to inquire into the question of the punishments of paupers.

IRISH PRISON WARDERS.

MR. HENRY J. WILSON (Yorkshire, W.R. Holmfirth): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he is aware that a recent order of the Irish Prisons Board obliges warders to wear prison uniform when off duty; whether he will state the number of hours weekly that Irish prison warders are engaged on duty, and how long in each week they are engaged on night duty and day duty respectively; whether Irish prison warders are entitled to any half-holiday except after night guard, and when they have been on duty for 16 hours continuously; whether it is a fact that warders in English prisons are allowed to wear plain clothes when off duty, and to have a half-holiday weekly; and, whether he

will consider the desirability of extending to the warders in Irish prisons the same treatment in these respects as that now given to warders in English prisons?

THE CHIEF SECRETARY FOR IRELAND (Mr. A. J. BALFOUR, Manchester, E.): The General Prisons Board report that the recent order of the Irish Prisons Board is simply a renewal of similar instructions which were issued in February, 1879, and which it was found had, in some instances, come to be disregarded in practice. The hours of duty necessarily vary in different prisons according to circumstances. But the average number of hours of actual duty per week is about 82, of which 9 hours are night duty and 73 hours day duty. In most of the prisons the warders get a half-holiday on every second Sunday and prison holiday, in addition to the day after night guard. The period of 16 hours' duty alluded to includes intervals of about 2½ hours for meals. In both England and Ireland the practice of wearing plain clothes appears to be confined to cases where officers are on general leave of absence. There is no general half-holiday allowed weekly in England, and only in the case of a public works convict prison in England are some of the officers relieved early on Saturday.

THE PRINTING OF POST CARDS.

MR. WALLACE (Edinburgh, E.): I beg to ask the Secretary to the Treasury whether it is the fact that the price of printing private or stationers' postcards has been raised from 30s. to 50s. per ream as a protection to the contractors; or what is the actual reason for a fee 2,000 per cent above the price at which any printer would execute the work?

THE SECRETARY TO THE TREASURY (Mr. JACKSON, Leeds, N.): The hon. Member appears to be under some misapprehension as to the reasons why the concession of printing postcards for private persons was, and is, allowed. The concession was intended to enable firms desiring to obtain postcards in sheets for printing or other purposes so to obtain them; but it was not intended to facilitate competition with the Government sale of postcards as such. The hon. Member is, no doubt, aware that the Revenue Departments Estimates Committee last year reported that the evidence showed that there is an actual loss to the revenue on all half-penny postage matter; the actual distribution, collection, conveyance, and delivery of postcards cause a loss to the revenue; and with a view of somewhat reducing this loss the charge for printing postcards for private persons has been raised from 1s. 6d. to 2s. 6d. per 1,000 cards; but this has been done, not for the purpose of protecting the contractors for postcards, but for the purpose of diminishing the loss to the revenue.

POSTAL ORDERS.

SIR EDWARD WATKIN (Hythe): I beg to ask the Postmaster General whether, in the matter of "Postal Orders," any official of the Post Office (and, if so, whom), has received any reward for initiating or perfecting that system; and, if so, whether the claims of Mr. Cotton, of Exeter, as put forward by the Chamber of Commerce of Exeter, were at all taken into account?

*THE POSTMASTER GENERAL (Mr. RAIKES, University of Cambridge): In answer to the hon. Member, I have to say that no official of the Post Office received any reward either for initiating or perfecting the system of Postal Orders. I would add that Mr. Cotton's claims have been fully considered; but there appeared to be no justification for making a recommendation in his favour.

SIR E. WATKIN: May I ask whether any Departmental inquiry has been made into the question?

*MR. RAIKES: At this time it is difficult to say who the first person was who originated the idea. It appears to have occurred to more than one person about the same time. The hon. Baronet seems to have a great idea of the importance of the matter; but it does not appear to me that it was a discovery which was due to the exercise of an enormous amount of genius.

BOARD OF TRADE—TORY ISLAND LIGHTHOUSE AND SIGNAL STATIONS.

SIR EDWARD WATKIN: I beg to ask the President of the Board of Trade whether he has seen an article in the *Northern Whig* newspaper from its London correspondent, calling attention to the want of progress in the proposed connection by cable of the lighthouse and signal station on Tory Island with the land telegraphs of Ireland, and ask-

ing whether the Government are waiting for another shipwreck like that of H.M.S. *Wasp* before doing this very inexpensive but most necessary work; and what is the real position of the matter?

THE PRESIDENT OF THE BOARD OF TRADE (Sir M. HICKS BEACH, Bristol, W.): I have not seen the article to which the hon. Baronet refers, which must have been written under some misconception of the duty of the Government in the matter. I understand from Lloyd's that they have been in negotiation with the proprietor of Tory Island for the land they require for a signal station, but so far without success. It is probable that Lloyd's may proceed under Lloyd's Signal Stations Act of last Session, unless they can come to terms with the proprietor of the Island.

MR. MAC NEILL (Donegal, S.): Am I to understand that, notwithstanding the wreck of the *Wasp*, no steps have been taken to rectify a danger of this kind?

SIR M. HICKS-BEACH: That is no fault of mine.

WAR OFFICE APPOINTMENTS.

MR. HANBURY: I beg to ask the Secretary of State for War in how many instances within (say) five years when a valuable appointment in the War Office has been vacant and advertisements have been inserted stating that no candidate above a certain age need apply, applications having been sent in in accordance with such conditions, the appointment has thereupon been given to persons above the age specified; and, whether, in the recent case of the appointment, at a large initial salary, of an Inspector of Clothing, aged 46 (all other candidates having been informed that no one above 40 need apply), any, and if any what, opportunity was afforded to any other persons above the prescribed age to compete after it had been decided to abandon the advertised limit of age?

MR. E. STANHOPE: No other such case has occurred. As regards the present instance, the professional assessors, who were good enough to assist me in selecting an Inspector, were not able to recommend any of the candidates within the age, but considered that the qualifications of the gentleman selected were such that the limit of age should not be insisted on. I am satisfied that we have chosen the best man.

MR. HANBURY: My point is that the advertisements having stated that nobody above 40 years of age should apply, I cannot understand why it should have been decided to appoint a man of 46. Was there any competition of men up to that age?

MR. E. STANHOPE: My point is this—that the person appointed was selected from an enormous number of applicants, and I am satisfied that, so far as the Public Service is concerned, the best man has been appointed.

THE CASE OF WILLIAM JULIAN.

MR. BERNARD COLERIDGE (Sheffield, Attercliffe): I beg to ask the Secretary of State for the Home Department whether his attention has been drawn to the case of William Julian, labourer, of Cropwell Bishop, who, on the 13th of June, was charged before the Justices at Bingham, in Nottinghamshire, with being in unlawful possession of 28 partridge eggs on the 2nd of June, in which case, although it was proved that, as to 15 of the eggs, they were given to him by a man called Hardy, and that, as to 13 of the eggs, they were taken from the land of a man named Starbuck by Starbuck's permission, Starbuck being a man having the right by Law to take such eggs, according to his own evidence, the Justices fined the man Julian 5s. for every one of the 28 eggs, being the full penalty permitted by Law, and in default of payment sentenced him to two months' imprisonment; and, whether, under the circumstances, he will reduce the fine.

*THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. MATTHEWS, Birmingham, E.): Yes, Sir; my attention has been called to this case; but it is one which does not call for interference on my part.

LIGHT RAILWAYS (IRELAND) BILL.

MR. PINKERTON (Galway): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland if it is the intention of the Government to proceed with the Light Railways (Ireland) Bill; and, if so, will an early opportunity be given to discuss that measure; and, when the

Select Committee will be appointed on the Bann Drainage Bill?

MR. A. J. BALFOUR: It will be more convenient that my right hon. Friend the First Lord of the Treasury should answer this question, when he answers a question on the same subject by the hon. and gallant Member for North Galway (Colonel Nolan). With regard to the Bann Drainage Bill, I may say that some progress has been made in the selection of names.

MR. W. MACDONALD (Queen's County, Ossory): The Barrow Drainage Bill stands as the eighth Order to-day. Will it be taken to-night, if it is intended to take it at all this Session? If so, will due information be given to those who are interested in the measure?

MR. A. J. BALFOUR: It is not intended to take it to-night, but the Drainage Bills will be taken in the order in which they stand on the Paper. I confess that the hope of taking it is much less than it was some time ago. The opposition below the Gangway is much more expressed than it was.

POST OFFICE SAVINGS BANK—THE COALVILLE DISTRICT MINERS' ASSOCIATION.

MR. HOWELL (Bethnal Green, N.E.): I beg to ask the Postmaster General if it is true that the Coalville and District Miners' Association have been refused permission to invest their funds in the Post Office Savings Bank; and, if so, whether he will state the reason for such refusal; and, whether it is a fact that Trade Unions similar to the Association referred to have been in the habit of investing their funds in the Post Office Savings Bank for over a quarter of a century without question or limit?

*MR. RAIKES: In answer to the hon. Member I have to say that the facts are correctly stated by him. The Commissioners for the Reduction of the National Debt, to whom the case in question had to be referred, informed me that they were unable to give their approval to the proposed investment, as, in their opinion, the objects of the Society as defined by its rules do not come within the scope of the 32nd Section of the Act 26 and 27 Vic., c. 87. I have made a further representation to the Commissioners, and I understand the matter has been submitted for the consideration of the Treasury.

MR. HOWELL: Is it the intention of the Government to deal with this matter in some form or other this Session?

*MR. RAIKES: The question is under the consideration of the Treasury. I cannot say more than that.

IRELAND — PRISON TREATMENT OF FATHER STEPHENS, MR. KELLY, AND OTHERS.

MR. MAC NEILL: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he is aware that from Sunday, the 30th of June, till Sunday, 7th July, Father Stephens and Mr. Kelly were obliged to keep their cells in Derry Gaol, and were deprived of exercise, owing to the Governor of the Gaol, Captain Wilson, insisting that any exercise they took should be taken in the company of the persons convicted of the insurance frauds in Belfast; whether he is aware that on Saturday last Dr. O'Farrell, of the Prisons Board, visited Father Stephens and Mr. Kelly, who both refused to accept any indulgence in the matter of exercise, on the ground of ill-health, and stated that on principle they declined to exercise in company with common criminals; and whether he will take any, and, if so, what, steps to prevent a repetition on the part of the Governor of Derry Gaol, in refusing these gentlemen the privilege of exercise except under degrading conditions? I have also to ask whether it is true, as stated in the *Daily News* of Thursday, that Father Stephens and Mr. Kelly, who are serving a term of imprisonment under the Criminal Law and Procedure (Ireland) Act in Derry Gaol, were ordered on Wednesday morning to exercise with the prisoners convicted for insurance frauds in Belfast, and, on their refusal to do so, were, and are, still confined to their cells; and, whether, having regard to the fact that Captain Wilson committed an error of judgment (which was admitted by the Chief Secretary) in refusing to allow two female prisoners from Gweedore to wear warm clothing supplied to them by friends for the journey between Derry and Letterkenny, and also, on the 20th May, 1889, remonstrated with the Rev. John Doherty, Roman Catholic administrator

and chaplain of the gaol, for calling to see "a certain class of prisoners, such as the Rev. Mr. Stephens, Mr. Kelly, and Mr. M'Hugh, oftener than others confined in the prison," the Chief Secretary, as head of the Prisons Board (Ireland), will take any, and what, steps to prevent future errors of judgment on the part of this gentleman?

MR. SHAW LEFEVRE (Bradford, Central), in reference to the same subject, asked whether any, and, if so, what, instructions or explanations have been issued by the Prisons Board of Ireland or by the Government as to the mode in which the Prison Authorities are to carry out the new rule with reference to the exercise of prisoners, or pointing out the class of persons who are to be relieved from association with other criminals; whether it is a fact that the Reverend Father Stephens and Mr. Kelly, imprisoned under the Criminal Law and Procedure (Ireland) Act in Derry Gaol, have since the passing of the rule been required to take exercise with certain Belfast men who had been convicted of wholesale frauds and forgeries in connection with the lives of inebriates and persons suffering from fatal diseases, and whether, on declining to do so, they were deprived of exercise and confined to punishment cells; whether the Belfast forgers had, on their part, been relieved under the new rules from wearing the prison dress and from taking exercise with other felons; and, whether such action of the Prison Authorities is in accordance with instructions of the Prisons Board, or meets with the sanction of the Government?

MR. A. J. BALFOUR: The General Prisons Board report that it is the case that the two prisoners mentioned (Father Stephens and Mr. Kelly) were required by the Governor of the prison to exercise at the same time as the Belfast insurance prisoners, all those prisoners belonging to the class of first convictions; also that both these sets of prisoners had availed themselves of the permission to wear their own clothes accorded under the new rule. But that it is not the case, as alleged, that the Belfast prisoners have ever been exempted from exercising with other prisoners of the class of first convictions, with which class they are still exercising. The two prisoners named in the questions did forfeit their exercise by declining to exercise with the other prisoners referred to. No other punishment was inflicted. Before the new rule regarding exercise was adopted general instructions were issued to Governors of prisons as to exercising "first convictions" apart from other criminals. No general instructions or explanations have been issued by the Prisons Board or by the Government as to the mode in which the new rule is to be carried out. It appears that the medical officer of the prison, in the exercise of his discretion under the new rule, directed on Saturday last that on medical grounds these two prisoners should be permitted to have separately two hours' exercise. Whether they have refused to take such exercise I am not aware. The error of judgment in regard to the clothing incident referred to was at the time remedied. There was no error of judgment as regards the case of the Roman Catholic chaplain, the Governor having acted in strict conformity with his instructions. There is nothing in the points raised in any of these questions under reply calling for action on the part of the Government.

MR. MAC NEILL: Were Father Stephens and Mr. Kelly for the space of an entire week shut up in their prison cells and deprived of all exercise because they refused to exercise in company with common criminals? When Dr. O'Farrell visited them did they state that they claimed no privilege on the ground of ill-health, but that they were determined, on the other point, to exercise by themselves as a matter of right?

MR. A. J. BALFOUR: Of course their right to dispute the prison regulation was not admitted by the Prison Board.

MR. MAC NEILL: Will the right hon. Gentleman answer my question?

MR. A. J. BALFOUR: I have answered it.

JAMAICA.

CAPTAIN PRICE (Devonport): I beg to ask the Under Secretary of State for the Colonies whether it is intended to allow the Government of Jamaica to give away about 120 square miles of the Crown Lands in that Colony to a private company, and without any obligation to cultivate the same?

THE UNDER SECRETARY OF STATE FOR THE COLONIES (Baron H. de WORMS, Liverpool, East Toxteth): It is a part of the railway agreement which has been made by the Government of Jamaica with the sanction of the Secretary of State, that the Colonial Government shall grant to the promoters who are to construct the railway extensions one square mile of Crown land for every mile of extension completed, which will amount to about 120 square miles of land.

CAPTAIN PRICE: May I ask whether it is intended to allow the Government of Jamaica to part with a valuable source of revenue—namely, its railways, constructed at a cost of £750,000, in exchange for bonds upon which no interest is payable until 5 per cent has been paid upon the whole capital to be sunk in extensions, amounting to about £1,500,000; and, whether he will take care that in any arrangement that may be made for the sale of the railway, and for power to raise money for extending the same, so much of the public debt of Jamaica as has already been incurred in respect of it shall be a first charge upon its profits?

BARON H. DE WORMS: In answer to the first paragraph of my hon. Friend's question, I must refer him to the reply I made to him on the 27th ultimo, in which I stated in detail the particulars of the sale. As regards the second paragraph, the public debt of Jamaica incurred in respect of the railway will continue to be a charge on the Revenues of the colony, but not on the profits of the railway after it has been sold to the company.

CAPTAIN PRICE: Will the Government give an assurance that the Papers will be laid upon the Table before a final sanction is given to any scheme?

BARON H. DE WORMS: I am unable to do that, because I do not know when the Papers will be ready.

COUNTRY TELEGRAPH OFFICES.

MR. FELLOWES (Huntingdonshire, Ramsay): I beg to ask the Postmaster General what are the rules regulating the establishment of telegraph offices in country districts; whether a parish of 1,300 inhabitants, within half a mile of main wires, and with parishes round comprising over 2,000 inhabitants, are to be put to the inconvenience and expense arising from a want of telegraph office; and whether, the finding of a sufficient guarantee in a poor parish being found to be impossible, he will take into his further consideration the possibility of establishing a telegraph office at Sawtry, Hunts?

*MR. RAIKES: In reply to the hon. Member, I have to state that the rule laid down by the Treasury in regard to the establishment of telegraph offices is that, if it is estimated that the revenue will not cover the expenses of the office, a guarantee must be given to secure the Post Office against loss. The main wires to which the hon. Member refers cannot be made available for serving a telegraph office at Sawtry. It would be necessary to erect a new wire nearly seven miles in length; and I regret to say that it is not in my power to provide this wire and open a telegraph office unless a guarantee of £32 a year be given.

THE NAVAL REVIEW.

SIR GEORGE BADEN-POWELL (Liverpool, Kirkdale): I beg to ask the First Lord of the Admiralty whether it will be possible, on the occasion of the inspection of the Fleet on 3rd August, to have in line one or more of the armed mercantile cruisers earning Admiralty subventions; and whether accommodation will be provided on one of Her Majesty's ships for the Agents General of the self-governing Colonies?

THE FIRST LORD OF THE ADMIRALTY (Lord G. HAMILTON, Middlesex, Ealing): The *Teutonic*, the largest and newest of the steam vessels under subvention with her guns in place, will be present at the Naval Inspection on August 3, but it is not practicable to have more of those ships, as detaching them from their ordinary work would entail a very heavy expense to the Crown. In consequence of a wish expressed by the Secretary of State for the Colonies, I am endeavouring to find accommodation for the Agents General of the self-governing Colonies.

GOVERNMENT GAS STOKERS.

MR. CUNINGHAM E GRAHAM (Lanarkshire, N.W.): I beg to ask the Secretary of State for War if, considering the favourable terms conceded to the gas stokers of the London Companies, he will now consider the advis-

ability of granting an eight hours' day to the gas stokers employed in Government works?

MR. E. STANHOPE: Inquiries are being made as to the practice.

HARBOUR ACCOMMODATION IN COUNTY DOWN.

MR. M'CARTAN (Down, S.): I beg to ask the Secretary to the Treasury, with reference to the memorial received from the inhabitants of Newcastle, County Down, as to the want of harbour accommodation there, whether he can say when an answer may be expected?

MR. JACKSON: I have to-day read the memorial referred to by the hon. Member, and I hope to return an answer to it shortly.

RAILWAY CONSTRUCTION, EAST COAST OF INDIA.

SIR RICHARD PAGET (Somerset, Wells): I beg to ask the Under Secretary of State for India whether early sanction will be given to the construction of a railway along the East Coast of India, to connect the Northern Circars with Madras; (2) whether several municipalities, and many of the Rajahs, and other local representatives of the millions who inhabit the Circars and Orissa, have publicly brought the pressing need that exists for the railway to the notice of the Madras and Bengal Governments; (3) whether the Engineers, lately despatched by the Government of India to reconnoitre the country, have reported favourably on the scheme, so far as it relates to the country between Beyrada and Cuttack, and whether Lord Connemara has strongly urged the importance of the work; (4) whether the Famine Commissioners of 1880 suggested that a railway might be made between Calcutta, Cuttack, the deltas of the Godavery and the Kistna rivers, and Madras, to obviate the recurrence of the distress of the years 1824, 1833, 1865-6, and 1876-8; (5) whether, since distress is again showing itself in Ganjam, this work will be placed first among the railway projects of the Peninsula; and, (6) whether he can lay any information upon the Table regarding the financial prospects of the line?

*THE UNDER SECRETARY OF STATE FOR INDIA (Sir J. GORST, Chatham): The Government have decided to survey the line from Beyrada to Cuttack, beginning on the 1st December next; (2) and (3), yes; (4) yes; (5) the matter is at present receiving the careful and earnest attention of Government; (6) some Papers bearing on the subject could be laid before Parliament if moved for; but until the probable cost of the line has been more nearly ascertained, no reliable forecast of the financial prospects of the undertaking can be made.

SIR R. PAGET: How soon will the Papers, which are ready, be laid on the Table?

*SIR J. GORST: The hon. Member can have the information in our possession at once, if he will move for it; but I can give the House no information in regard to the financial prospects of the undertaking until the survey is complete.

MR. BRADLAUGH (Northampton): Will information be given as to the number of natives who have been dying of cholera and starvation?

*SIR J. GORST: At the instance of the hon. Member himself the Secretary for State has been publishing that information every week.

MR. COMMISSIONER KERR.

MR. CHARLES DARLING (Deptford): I beg to ask the Attorney General, whether his attention has been called to the case of Blankensee *v.* Elkan, heard in the Queen's Bench Division on Tuesday last, being an application for a new trial in an action tried in the Sheriff's Court, in the City of London, before Mr. Commissioner Kerr, and to the following words used by the Lord Chief Justice of England:—

"Lord Coleridge said he had to repeat in this case, what he had had occasion to observe before—that the Judge refused to obey the law as to sending signed notes of the evidence taken before him, and thus inflicted on suitors serious injury. In the present case the nonsuit must be set aside, and a new trial directed."

By whom Mr. Kerr was appointed Judge; and, what means there may be of securing that he shall conform to the Law?

*THE ATTORNEY GENERAL (Sir R. WEBSTER, Isle of Wight): I believe that the report of the language used by the Lord Chief Justice is substantially correct. I am informed, however, that the facts were not correctly stated to the Court, and, unfortunately, the counsel

of the plaintiff who had been present at the trial before Mr. Commissioner Kerr, was unable to attend in the Court of Queen's Bench on the occasion in question. The document produced to the Court was not a copy of any notes taken by the learned Judge, and, as stated in the affidavit subsequently filed by the learned Judge, in which statement he is confirmed by the counsel for the plaintiff, no application was made to him to take notes. Upon the facts it is clear that Mr. Commissioner Kerr in no way refused to obey the law. He was appointed in 1859 by the Corporation.

MR. C. DARLING: May I call the attention of the hon. and learned Gentleman to the fact that the Lord Chief Justice stated that he had had occasion to comment upon the conduct of the Judge before?

*SIR R. WEBSTER: I do not think it fitting that I should go into that matter. I am not aware of the circumstances to which the Lord Chief Justice referred. Certainly there was nothing in the facts of this particular case to justify a general censure of the conduct of the Judge.

THE ROYAL TITLE.

MR. HOWELL: I beg to ask the First Lord of the Treasury whether he can explain to the House the reason why it was that Her Majesty's recent Message to the Lords, with respect to the Royal Marriage, was signed differently to that addressed to the Commons, the former being signed "Victoria, R.I.," and initialled "V.R.I.," while that to the Commons was signed "Victoria, R.," and initialled "V.R."; and, whether it has been usual or customary to make such a difference in addressing both Houses of Parliament; and, if not, whether this is to be taken as a precedent for the use of the title of Empress in communications addressed to Parliament?

*THE FIRST LORD OF THE TREASURY (Mr. W. H. SMITH, Strand, Westminster): The Messages to both Houses were signed by Her Majesty in the same way, and it was only yesterday that the printer's error which had occurred in the House of Lords Papers was observed. Steps were at once taken to remedy the mistake, and an amended Report of the proceedings of the House of Lords on the 4th of July has to-day been circulated.

PUBLIC BUSINESS.

COLONEL NOLAN (Galway, N.): I beg to ask the First Lord of the Treasury when the Light Railways (Ireland) Bill will be put down for Second Reading as the first Order of the day?

*MR. W. H. SMITH: The hon. and gallant Member will be aware that while the Local Government (Scotland) Bill is before the House I cannot name a day, but I hope to be able to fix one as soon as the Scotch Bill is disposed of.

COLONEL NOLAN: Will the right hon. Gentleman put it down without waiting until the Drainage Bills are disposed of?

*MR. W. H. SMITH: It will certainly have precedence over the Drainage Bills.

MR. STOREY (Sunderland): Will it have precedence over the Barrow Drainage Bill?

*MR. W. H. SMITH: Yes.

MEMBERS OF COLONIAL GOVERNMENTS.

SIR GEORGE BADEN-POWELL: I beg to ask the Under Secretary of State for the Colonies whether Her Majesty's Government have issued any new regulations or instructions relating to the use of the prefix honourable in addressing members of Colonial Governments or Legislatures?

*BARON H. DE WORMS: There appears to be a misapprehension the origin of which the Secretary of State has not been able to trace. The question has not been raised recently in any shape, and the Secretary of State has certainly issued no directions on the subject. The title of "Honourable" for many years been accorded to Members of Executive Councils and Legislative Councils in all Colonies, including the smaller Crown Colonies. It has at no time been the practice to use that title in addressing Colonial gentlemen residing in this country; but it is a common practice to accord it when the person entitled to it is absent from his own colony on a visit to another colony. The reason for not addressing Colonial gentlemen by that title when they are in this country

would appear to be that here it is not adopted as a designation of any executive or legislative status, being the courtesy title distinguishing sons of Peers. But although no new instructions have been issued on this subject, it happens to be the case that, during the Colonial Conference, the Secretary of State did take the new course of addressing as "Honourable" the Colonial Representatives actually serving on the Conference, feeling that their presence here on official duty might properly be so recognized.

BOURNEMOUTH SANDS.

MR. CUNINGHAME GRAHAM: I beg to ask the Secretary to the Local Government Board if the Crown exercise title and control over the sands at Bournemouth; and, if so, why are the public not allowed the free use of the foreshore for bathing and fishing; and, why has the present system of licenses for refreshment and amusement stalls been introduced?

MR. LONG: The matter referred to by the hon. Member concerns the Bournemouth Improvement Commissioners, and I have, therefore, been asked to reply to the question. I am informed by the Commissioners that the public are allowed free use of the beach and foreshore for the purposes of bathing and fishing, subject as to the bathing to the regulations contained in the bye-laws of the Commissioners. It is stated that there is very little fishing, but what there is is not interfered with. The Commissioners further state that they have a lease from Sir George Meyrick of the sea frontage of their district for the purpose of enabling them to make regulations for the good order and comfort of those who frequent the beach, and it appears that the Commissioners have for the last few years granted licenses to persons to place stalls for refreshments on the beach and for certain amusements there. This seems to have been done in order to prevent such matters becoming a nuisance to persons on the beach, but I understand that the right of the Commissioners in this respect is now the subject of an action in the High Court of Justice, and that it is expected that the case will shortly be heard.

FIARS COURT, SCOTLAND.

MR. MARK STEWART (Kirkcudbrightshire): I beg to ask the Lord Advocate whether the Government next Session will take into consideration the inequality of the law relating to Fiars Courts in Scotland, in order to obtain a better and more uniform system of striking corn and other averages than at present prevails?

*THE LORD ADVOCATE (Mr. J. P. B. ROBERTSON, Bute): I am unable to give any undertaking upon the subject for next Session, but I shall carefully consider whether the existing system may not be improved in the direction indicated by my hon. Friend.

INSPECTION OF MINES.

MR. FENWICK (Northumberland, Wansbeck): I beg to ask the Under Secretary for the Home Department, when he expects to be able to lay on the Table the report of the Inspector of Mines?

THE UNDER SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. STUART WORTLEY, Sheffield, Hallam): I will inquire.

MOTIONS.

—o—

MERCHANT SHIPPING (MASTERS' DISBURSEMENTS) BILL.

On Motion of Mr. Charles Hall, Bill to amend the enactments relating to the Wages and Disbursements of Masters of British Vessels, ordered to be brought in by Mr. Charles Hall, Mr. Gainsford Bruce, and Mr. Gully.

Bill presented, and read first time. [Bill 320.]

GRANTS TO MEMBERS OF THE ROYAL FAMILY.

Motion made, and Question proposed—

"That the Select Committee on Grants to Members of the Royal Family do consist of Twenty-three Members."—(*Mr. William Henry Smith.*)

MR. STOREY (Sunderland): I beg to move that the Debate upon this question be adjourned in order to bring under the notice of the Leader of the House what I cannot but regard as a serious breach of the promise made by the right hon. Gentleman to a large section of

this House. Of course, I do not accuse the right hon. Gentleman of having acted wilfully; but I shall, I think, be able to demonstrate to his fair mind, and to the minds of hon. Members generally, that such a breach of faith has been committed. Yesterday, on the Motion for the appointment of this Committee, several hon. Members asked questions, and the right hon. Gentleman made a reply which was certainly not as clear as some of us desired. Upon that I put the following specific question—whether the right hon. Gentleman would give us such notice as would enable us, in accordance with the Rules of the House, to give due Notice of Amendments? I will repeat to the House the answer of the right hon. Gentleman. He said—

"I wish to act with perfect fairness to hon. Gentlemen who differ from the Government. I will put the names on the Table this evening. They will be in the possession of the Clerk at an early hour, and any hon. Member may see them. It will then be in the power of any hon. Member to give notice of any opposition or change he may desire."

I have ascertained from the authorities of the House that, in a case like this, Amendments can only be moved after Notice. For instance, we may move without Notice to except any hon. Member's name, but we cannot move to add any other name without Notice. What are the facts of the case? The list, instead of being handed to the Clerk at an early hour, was placed before them in an authoritative form about quarter to twelve o'clock. I do not blame the right hon. Gentleman, nor do I accuse him of doing this deliberately. We all of us know that he would not have done such a thing, and that the delay must have arisen from circumstances over which he had no control. I know the delay arose from causes over which the right hon. Gentleman had no control, but what I want to particularly point out is that the list, as a matter of fact, did not reach us till a quarter to twelve. Now, we had but a quarter of an hour in which to conceive, to concoct, and to put down any Amendment we might think necessary. I put it to the right hon. Gentleman, was that anything like a fulfilment of his promise to act with perfect fairness? I will state a fact of which he is probably not cognisant. Those of us who could hastily meet together—and at that time there were by no means so many of us to be got together as we could have desired—those of us who could, hastily met together and decided upon an Amendment. My hon. Friend the Member for Swansea (Mr. Dillwyn) agreed to move that Amendment. Before we had concluded the arrangement of the Amendment, my hon. Friend, aged and reverend as he is, had absolutely to run at the top of his speed up the Lobby in order to get his Notice of Amendment put in at the Table in time. If I may be allowed to say so, without unduly complimenting him, the hon. Gentleman in his old age exhibits an energy and a determination to do his duty which I myself and many others might well emulate. Now, that being the fact, I put it to the right hon. Gentleman, with his sense of fairness, if these were the cases under which we were able to introduce one little Amendment, how was it possible for us, in the limited time at our disposal, to examine the 23 names critically, and to decide as to whether the composition of the Committee was fair, as to what hon. Members we should make objection to, and as to whom—a much more difficult matter still—we should propose in their places; and I think it will be apparent to the Government and to their supporters that the promise of the right hon. Gentleman has not been fulfilled—owing, no doubt, to no fault of the right hon. Gentleman. The large and important section of this House—you may call us a section, but I beseech the right hon. Gentleman to believe that upon this question he will find us a militant section—the large and important section of hon. Members of this House who are opposed to the present proceedings, and who certainly will not agree to them, except in forms that will give a perfect opportunity to us to place our views before the House and the country—I say this particular section have a right to require from him that he shall give to us what it has been an unfailing practice of Parliament to grant to any opposing section of hon. Members; that is, time to examine the proposal of the Government, and to suggest to the authorities of the House, in due form, the Amendments which they may think desirable. Now, I think I am not asking too much, especially when we consider the hasty

way in which these proceedings, from the first, have been sprung upon the House and upon the country, when I ask that instead of engaging in a wordy Debate this afternoon, which cannot but be long, the right hon. Gentleman should spend the day in the more congenial and less violent duty of carrying on still further the debates on Scotch matters, and then on Thursday, when the Liberal and Radical Members of the House have had ample time to consider the names, and have had time to put their Amendments upon the Paper—then, and not till then, to present his Resolution for debate in the House. I beg, therefore, to move that the Debate be adjourned until Thursday.

MR. HANDEL COSSHAM (Bristol, E.): I beg to second the Motion.

Motion made, and Question proposed, "That the Debate be now adjourned."—(*Mr. Storey.*)

*MR. W. H. SMITH: I have listened with regret to the speech of the hon. Member for Sunderland. I am aware that this is a question on which the militant section of the House referred to feel very strongly, and I have been most anxious to extend to them, on behalf of the Government, the utmost possible consideration to which their views are entitled. I made every effort in my power to place the names upon the Paper early last evening, and I think they were in the hands of the Clerk a little earlier than has been stated, but I will not contest that point. The hon. Gentleman has admitted that the aged and reverend Gentleman the Member for Swansea, a gentleman whom we all revere and respect, had ample time to put an Amendment on the Paper, and that an Amendment was received by the Clerks. I do not wish to lay much stress upon that fact, but rather to point out that it is open to the House to reject any single name that is put from the Chair, and it is also open to any hon. Member to give Notice to-day of any name he proposes to add to the Committee, and such Notice of Motion will be considered and disposed of by the House before the Committee can enter upon its duties. That being so, hon. Gentlemen will see that I have substantially redeemed the engagement I have entered into. The course now pursued is hardly worthy of the position hon. Members desire to maintain. Let them deal with this matter, as they are fully justified in doing, on the sound ground of principle because they object to any further grant to the Royal Family; but they will not promote the object they have in view by putting obstacles in the way of the transaction of public business. It is obviously desirable, in the interests of public business, that the Committee should be appointed, enter upon its work, and report to the House as quickly as possible, so that the House may deal with its Report; and when the House does so, then hon. Members will have an opportunity of offering opposition to further grants.

MR. PICTON (Leicester): I shall be the very last to cast any doubt whatever upon the general fairness and intention of the right hon. Gentleman the Leader of the House. I have known him too well and too long in other capacities in this House to suppose for a moment he would be willingly guilty of any unfairness. But I do not think he fully estimates the importance of giving to this section of the House a fair opportunity of considering this matter. It is all very well to say that we can oppose names that are proposed and give Notice to propose others on another day; but I suppose if any hon. Member were to succeed in throwing off any name from this Committee, which is in the highest degree improbable, and then give Notice of the substitution of another name, he would be entirely at the mercy of the Government and of hon. Members opposite who might block his Notice and prevent it being brought on. If the Government are going to favour us at all, I cannot see why they should not favour us now and let us have an adjournment until Thursday. I suppose that all courtesy has been shown, as is proper, to the occupants of the Front Opposition Bench. No doubt in the case of minor matters of business the right hon. Gentleman is justified in concluding arrangements with the Leaders of the Opposition. There are scores, perhaps hundreds, of matters of business coming before the House in which such arrangements may be perfectly justifiable, but I contend that this is not one of them. This is a most important matter. It is intended to settle a very grave question of national

business for another reign, and I do not think that a matter of such grave importance should be settled by any secret conclaves between the two Front Benches. In a matter of this kind all Members may claim equal privilege. The First Lord of the Treasury said he would give Notice of the names early last evening. Such Notice, he now says, was given before a quarter to twelve. He cannot say that Notice was given early in the evening. We are not all made of cast iron. We cannot all stop here all night. Many of us have done too much of that already, and are suffering the consequences. I hope the right hon. Gentleman, in the interest of this important question, will not huddle up this matter and give an impression to the country that he dare not face free and open discussion. Everything will turn upon the decision of the Committee, and if we have a Committee unfairly constituted we shall have what we consider an unreasonable and unjust Report. I contend we are not only within our right, but that we are morally justified in urging most earnestly that this important and grave subject shall be put off at least until Thursday when we may have a fair opportunity of considering it.

The House divided:—Ayes 80; Noes 233.—(Div. List, No. 185.)

Original Question again proposed.

MR. DILLWYN (Swansea, Town): The course which the Government have adopted will, in my opinion, neither insure a fair inquiry nor fulfil the ordinary practice of the House as regards the appointment of the Committee. In 1886, when my hon. Friend the Member for Northampton proposed a Resolution respecting grants and pensions, he was met by the noble Lord the Member for Paddington (Lord R. Churchill), then Leader of the House, with a promise to grant an inquiry. The present First Lord of the Treasury has since confirmed the promise made by the noble Lord. The question has often cropped up, and from time to time the inquiry has been put off. It has now, I may say, been forced on the Government. Unfortunately, the Committee proposed to be appointed by no means carries out the intentions of those who desire to have a full and fair investigation. The practice of the House has always been that the Government should have in such Committees a majority of one; but the proposal of the Government will give them a majority of three, because the two right hon. Gentlemen belonging to what is usually called the dissentient Liberal Party—the noble Lord the Member for Rossendale (the Marquess of Hartington) and the right hon. Gentleman the Member for West Birmingham (Mr. J. Chamberlain)—may be much more securely relied upon to vote with the Government than even the Government's own supporters. Of course that addition entirely turns the scale. If it had only been 10 Members to 11 I should not have objected to the constitution of the Committee, but the present proposal gives the Government 13 to 10; and having watched the conduct of the noble Lord and the right hon. Member for West Birmingham, we know that in all matters in which the Government take an interest they are Tory even beyond Tory. They may occasionally vote against the Government, but never when the question is one of great moment to the Government. I think it is important that we should insist upon the usual practice being adhered to in this as in other cases. A Committee, after all, generally savours of a foregone conclusion; but in this case, with a majority of three instead of one, the foregone conclusion is clear and distinct. Under these circumstances, I beg to move that the Committee shall consist of 25 Members instead of 23, and if my Motion is carried I shall afterwards move to add the names of two hon. Members on the Opposition side of the House.

Amendment proposed, to leave out the words "twenty-three," and insert the words "twenty-five."—(*Mr. Dillwyn.*)

Question proposed, "That the words 'twenty-three,' stand part of the Question."

*MR. W. H. SMITH: The hon. Gentleman appears to be under the impression that, as regards this Committee, the House and the Government are departing from some course which has been generally adopted in the present Parliament. I would ask him to refer to the constitution of any Committee which has sat during the course of the present Parliament, and he will

find that the proportions recommended to the House on this occasion are the proportions which have been adhered to absolutely in the constitution of all other Committees. There is nothing in which the Government have been so careful as to remove any thought of their attempting to obtain an unfair advantage. The question which is to be referred to the Committee is, I hope, not a Party question. It ought not to be dealt with on Party considerations. There are times when the House of Commons can, and, I hope, will, rise far above those considerations which divide us into several camps. The question is so associated with the Constitution of the country that it is best for the House of Commons to consider what is most advantageous for the interests of the country at large. But what I now desire to impress upon the House is that we have followed precedent strictly in the constitution of this Committee; that we have done that which has been done always in regard to the appointment of other Committees in the course of the present Parliament; and that practically this is a Committee which, I hope, will fairly and fully represent all the sections into which the House is divided—all the different views and opinions which are entertained by hon. Members in this House. And I am perfectly certain that their opinions and views will receive from other Members of the Committee who may not be disposed to agree with them the most careful and respectful consideration. I trust, therefore, that the House will not accept the Motion of the hon. Gentleman.

*MR. CREMER (Shoreditch, Haggerston): I intend to vote for the proposal of the hon. Gentleman the Member for Swansea (Mr. Dillwyn), although I do not much care whether there are 23 or 25 Members on the Committee, because I am opposed to the appointment of the Committee, to any inquiry, or to any grant, and, for myself, I shall not feel bound by the Report of the Committee, because the substance of that Report is a foregone conclusion. On behalf of my constituents I repudiate the appointment of a Committee which is evidently intended to make out a case and delude the people into the belief that the majority of the House and the country are in favour of such grants as that proposed. I shall therefore feel it to be my duty to oppose every stage of the Report of the Committee. There was a time when only six or seven Members of the House went into the Lobby to vote against Royal grants; but now that number, as the last Division shows, has increased to 80, and even that is not the full strength of the opposition, as I believe will be made manifest when the Report stage is reached. In the country there has been a large growth of public opinion upon the subject; and if there is one question upon which the democracy are agreed—the Tory as well as the Liberal democracy—it is upon the question of these Royal grants.

*MR. SPEAKER: Order, order! I must remind the hon. Member that the question before the House is not that of Royal grants, but whether 23 or 25 Members shall be included in the Committee.

*MR. CREMER: I at once bow to your decision, Sir, and will reserve what further observations I may have to make until the Report of the Committee is presented. I only feel it right to say that I shall not feel bound by any Report that may be presented by any Committee appointed for the purpose of deluding the people.

MR. GLADSTONE (Edinburgh, Mid Lothian): With respect to the difference between a Committee of 23 and a Committee of 25 Members, that difference is evidently not very important numerically, and I should have been perfectly satisfied with either number which Her Majesty's Government might have selected as most proper. But I think it only fair to sustain the statement of the right hon. Gentleman as far as it turns on a matter of fact, and likewise as far as it turns on the exercise of the discretion of the Government in making the best distribution they could of the number 23 which they have chosen. It is undoubtedly the fact that some time ago the practice prevailed according to which it was usual, and, I believe, invariable, at least in Committees of smaller size, that a majority of one should be conceded to the majority of the day. I must say that I never admired that plan. I always thought the rule a bad rule, and I was always glad to avail myself of an opportunity of modifying it and altering it according to the practice which prevailed for a good many

years before that rule, and which has prevailed during the existence of the present Parliament. That is to say, that any Committee of the House should be made—especially when there is a matter of very great public interest, importance, and delicacy—as carefully and as nearly as may be the accurate representation of the sentiments in this House. But the right hon. Gentleman said that this is not a Party question, and therefore it is not from Party necessity that there is a motive for careful and accurate selection. But it is a matter of great political and national importance, and therefore that motive applies in its fullest sense. That being so, I believe my hon. Friend will not find it possible to shake the statement of the right hon. Gentleman as to the matter of fact. As to the distribution of the numbers, the hon. Member says a majority of three is possessed by the Party opposite. I am extremely sorry that they have that majority, but I am bound to say they are fully entitled to it by the state of opinion in the House. If we can destroy that majority in the House which gives them a title to that majority of three, by all means let us do it, but there it is at the present moment. It is not according to an ideal or a future House of Commons, but according to the present and actual House of Commons, that the Committee has been chosen. The right hon. Gentleman has had a duty to discharge rather more difficult than commonly falls to Leaders of the House. In old times there were only two units in this House, and it was then more easy to divide the numbers on a Committee when there were only two sections in the House than now, when it is divided into four. We have four recognized Parties or sections in the House, and those Parties or sections happen to be exceedingly unequal in number, consequently the rules of arithmetic, combined with the impossibility of dividing the unit, represented by the Member, into any smaller fraction, involved an operation which to a humane man like the right hon. Gentleman it would be impossible to accomplish. I am bound to say that so far as I am able to form a judgment the right hon. Gentleman has performed his duty in a spirit of equity and consideration. If I take those with whom I have the honour more immediately to act, undoubtedly we have quite as many Members on the Committee as we are entitled to. Although I observe the Motion is to give us two more, I am sorry we have no ground whatever for making the claim. As to the Nationalist Party from Ireland, who must, of course, be represented on this Committee, I admit, when we come to apply minute fractions to their case, it has not been possible to give them quite as much as their numerical strength deserves. At the same time I do not see that the right hon. Gentleman was in a position to discharge his task with greater mathematical exactitude. Upon the whole, if we take these four Parties as they are divided upon the most important questions of the day, I do not think it would be possible to make a more fair and equitable distribution. I shall feel it my duty to support the right hon. Gentleman in the proposition he has made.

*MR. BRADLAUGH (Northampton): I am in a position of some difficulty in regard to this Amendment, because while I agree that the Committee is fairly apportioned as to numbers, and that the distribution follows the rule pursued in this House, I am going to vote for the Amendment because I am entirely opposed to Royal grants, and because I want to raise every possible difficulty in the way of those grants being made. If the original terms of the Reference had included an investigation of the savings on each class of the Civil List, I should have been satisfied with the numbers apportioned to this side of the House; but I know that as the majority will interpret the terms of the Reference, there will be no inquiry into the savings on the various branches of the Civil List. I intend to vote for an increase in the numbers proposed by the hon. Member for Swansea, and I take it that the Vote is a declaration on the part of the Liberals and Radicals, both above and below the Gangway that the Reference to the Committee is unfairly limited. I shall give my vote for the Amendment, not as alleging any breach of the ordinary arrangements which govern the nomination of these Committees, but as a protest against the exclusion of facts which are really material in determining whether these grants should be made or not.

MR. STOREY: I desire before I proceed to make a few remarks, to relieve myself from a position of some embarrassment. My name appears upon the consequential Amendment of my hon. Friend the Member for Swansea, and I wish to say that those two names were hastily arrived at last night. I am commissioned on behalf of my hon. Friend and myself to say that if the House is willing to substitute the names of any other two Gentlemen holding somewhat the same views—[*a laugh*]—I do not suppose the hon. Gentlemen opposite deem me so foolish as to desire two more names from their side of the House, when my object is to show that already they have more than they are entitled to. I contend that the precedents in such cases show that a majority of one is all the Government are entitled to, although I admit that there has been a new-fangled arrangement during the present Parliament, consequent upon the fact that in this Parliament for the first time, and I hope it will be the last, consists of four distinct Parties. Radical as I am, I am constitutional enough to prefer the ancient practice to that which now exists. The Committee is not appointed to vote but to inquire, and therefore the minority should be as large as possible, so that there may be a freer power of discussion. As the Committee is at present constituted, the decision cannot be other than prejudiced and one-sided. It is to be appointed to inquire into two specific cases and into a principle, and we cannot decide the cases without deciding the principle, and *vice versâ*; the principle being that not only shall provision be made by Parliament for the Sovereign and the children of the Sovereign, but for the children of the Heir Apparent to the Throne. We Radicals are sticklers for constitutionalism. We object to the introduction of the Crown into this matter at all. We have to do with the Ministers only. The proposal is a Ministerial proposal, upon which the life of the Ministry depends, and, of course, their supporters will vote in favour of it. What chance is there of their giving a vote which would terminate the existence of their own Ministry? The Conservatives have not only a majority on the Committee, but the Government will be supported by the Liberal Unionists. There is the noble Lord the Member for Rossendale, with whose history and ideas we are well acquainted, and there is not the slightest chance that he will do otherwise than support the Government. Then there is the Member for West Birmingham, of whom we used to have some hope, but now he has cast in his lot for ever with those "who toil not neither do they spin." The right hon. Gentleman can only vote as he is directed by the Government. A pretty pass that for an ancient Radical leader to come to. I challenge the right hon. Gentleman to get up in this House and say whether, having regard to his utterances and his character for consistency, he can do anything other than support the Government.

*MR. SPEAKER: Order, order! I do not think the hon. Member is in order in discussing at this stage the antecedents of any proposed Member of the Committee.

MR. STOREY: I admit, Mr. Speaker, that the course I am taking is inconvenient, and I will content myself with saying I think I have already demonstrated that the majority of the Committee must vote for the Ministerial proposition. In that case, the decision of the Committee is prejudged. I admit that the Irish Members have a right to have two Members on the Committee, and that the Gentlemen selected may both, from their position of authority and their inherent ability, be very properly placed there. But I do not forget that they represent Irish interests, and that their views and actions will be regulated by circumstances that will make for the freedom and self-government of their country. I want the House to realize the position which English Radicals have taken in this matter. At the head of the Committee is a name comment upon which would be dangerous even if it were desirable. No such Committee would be complete without the name of the right hon. Gentleman the Leader of the Liberal party. If the right hon. Gentleman choses to give his services, far be it from me to say anything against it. Speaking for myself, I should like to say that having studied and followed the incidents of his great career——

*MR. SPEAKER: Order, order! The hon. Gentleman is now discussing the names. The question is rather the

quantity of the Committee than the quality of those who compose it.

MR. STOREY: Of course, Mr. Speaker, I bow to you at once, but I was endeavouring to show that the composition of the Committee is such as to prejudge the conclusion of the Committee. I contend that the majority for the Government being even more than the number mentioned by my hon. Friend who moved the Amendment, the Radicals are entitled to add two names to the Committee. The hon. Member for Glasgow (Dr. Cameron), the hon. Member for Bradford (Mr. Illingworth), the hon. Member for Northampton (Mr. Labouchere), and the hon. Member for Morpeth (Mr. Burt) represent most fairly the Radical element in this House. Now, Sir; if we knew beforehand what the Committee will decide, is it not fair that there should be such an amount of opposition as will deprive the Government of that which they want besides the decision? The Government want not only the decision but also the moral effect which will spring from the decision of a Committee the great majority of which is in their favour. So far as I can see, the Government have practically 15 Members of the Committee who will go with them. Does anyone believe that the hon. Member for Swansea District (Sir Hussey Vivian) represents Liberal opinion in this matter? If the voice of Wales is to be heard I am amazed that such a choice should have been made.

*MR. SPEAKER: Order, order! If the hon. Member objects to the names he should do so when they are read out.

MR. STOREY: Very well, Sir. I will object to that hon. Gentleman when the time comes; and in the meantime I will assert that the antecedents of the hon. Member for Swansea District——

[*Cries of* "Order" *and* "Name."]

*MR. SPEAKER: Order, order!

MR. STOREY: Why am I to be interrupted by hon. Members opposite calling out "Name?" I am trying to keep myself in order as well as I can. I will conclude by stating that the point of my argument is that the Government, so far from having 13 Members on the Committee who sympathize with and hold their views, have at least 15 and probably 17. I assert that the enormous majority of the Liberal electors in the country hold the views I am expressing, and they will be represented probably by four and perhaps by six. It is most unfair to send to a Committee so constituted, not the consideration of the general question merely, but the consideration of the specific questions raised by the Government, and with which is bound up the fate of the Government. Looking at the constitution of the Committee, I can come to no other conclusion that unless it be altered so as to give to the Liberals of the country, at least a sufficient number of representatives to enable them to make a serious protest against the unfair and one-sided conclusion which is already registered, although it may, perhaps, influence hon. Members opposite and their constituents, it will be deprived of moral weight for all the Liberals and Radicals of the country.

The House divided:—Ayes 300; Noes 105.—(Div. List, No. 186.)

Main Question put, and agreed to.

Ordered, That the Committee do consist of 23 Members.

Question, "That Sir Walter Barttelot, Mr. Burt, Dr. Cameron, be Members of the said Committee," put, and agreed to.

Motion made, and Question proposed, "That Sir Archibald Campbell be one other Member of the Committee."—(*Mr. William Henry Smith.*)

MR. STOREY: I beg to move that Sir Archibald Campbell's name be omitted. Of course, it is perfectly understood, both by that hon. Member himself, whom I have not the pleasure to know, and also by all the House, that this opposition to his name is not dictated by any personal disrespect to him. I will tell the House why I take this course. The hon. Member is put on the Committee, I suppose, as in some sense a representative of the opinion of Scotland. Now, Sir, I submit that if the opinion of Scotland were asked in this matter, it would not be the hon. Member to whose name I object that they would ask to be their spokesman. Supposing this Amendment should be carried, and I hope the good sense of hon. Gentlemen opposite will allow us to carry it, I shall propose that the hon. Member for Aberdeen (Dr. Hunter), whose name

has already been put before the House, should be added to the Committee.

The House divided:—Ayes 304; Noes 86.—(Div. List, No. 187.)

Motion made, and Question proposed, "That Mr. Joseph Chamberlain be another Member of the said Committee."—(*Mr. W. H. Smith.*)

MR. STOREY: I understand that this Committee is to be a representative Committee. The right hon. Gentleman to whose name I now take objection is, in my judgment, and in the judgment of many others, representative of nobody except himself. The days have been when we in this quarter of the House, and those who think with us in the country, looked upon the right hon. Gentleman as a tower of strength, and as one who believed in Radicalism and would support Radicalism. Now, whom would the right hon. Gentleman represent on that Committee? He does not represent the Liberal Party; he does not yet represent the Conservative Party; but it may be urged that he represents the Liberal Unionists. I submit that all the Liberal Unionists who are Liberal are fittingly represented by the noble Lord the Member for Rossendale (the Marquess of Hartington), and that those of the Liberal Unionists who are Conservative are fittingly and fully represented by the 11 Conservatives who have been nominated on the Committee. I object to the right hon. Gentleman now, but there have been days when I should have objected to him more. I remember the days when the right hon. Gentleman developed, or was supposed to have developed, a wild, extravagant form of Republicanism, which, as far as I understood it, was as dangerous in its purposes as it was futile in its methods. In those days, for the sake of something which we hoped to gain from him, we may have been content to use the right hon. Gentleman for a time; but now I submit that the right hon. Gentleman has delivered himself, bound hand and foot, into the hands of right hon. Gentlemen opposite, and will go into that Committee so pledged and committed as to the decision which he must give that he will be in no sense a free and fair representative of opinion upon that Committee. Now, I will prove the serious allegation I have made. ["Oh, oh!"] Yes; I will prove it. The Committee will have to consider a proposal which has been introduced by the Government, and upon the fate of which depends the fate of the Government. The Committee has to decide that fact. The right hon. Gentleman, if he were put upon the Committee, must give his decision; but what would be the result, supposing he and others joined with the Liberals on the Committee and defeated the proposal of the Government? If that proposal were defeated the Government would be defeated, and would come to an end. Are we to understand that this is not so serious a Ministerial proposition that the fate of the Government is not bound up in it? Well, I do not expect to see right hon. Gentlemen opposite sitting on the Treasury Bench a day after such a proposal is defeated, if it ever be defeated. The Government, being like all other Governments, will, I expect, have too much self-respect, and too much regard for ancient Constitutional practice to remain in office if this proposition of theirs is defeated. How could the right hon. Gentleman vote for the defeat of that proposition? Has not the right hon. Gentleman told us and the country, again and again, that the keynote of his policy is to do nothing that will defeat the present Government; and if he does nothing to defeat the present Government he must go with the Government upon that Committee. Therefore, I submit that I have amply proved that, so far from being free to give an opinion the right hon. Gentleman is bound hand and foot as to the opinion he will give. He is like Sampson of old—he has been shorn of his Radical locks—shorn of his Radical principles, wherein lay his strength, here and in the country. He has been delivered into the hands of Delilah. [*Laughter from the Ministerial Benches.*] He has been delivered by Delilah, the Member for the Bordesley Division of Birmingham (Mr. Jesse Collings), into the hands of the Philistines, by whom he has been bound hand and foot. Neither on this question of Radicalism, nor on any future question of Liberalism is the right hon. Gentleman free to vote, and therefore I resist his appointment on the Committee, and suggest—for I can do no more than suggest—another name instead of his. The name I would suggest and put in opposition to that of the right hon. Gentleman is

the name of one who has made this question his own; whose full possession of the facts and whose fairness of judgment entitle him to confidence on this side of the House, and have, despite the past, entitled him to the confidence of many Members on the other side of the House—I mean my hon. Friend the junior Member for Northampton. If the proposition I now make, that the name of Mr. Joseph Chamberlain be excluded from that Committee be carried, I shall move, at the proper time, that the name of Mr. Bradlaugh be substituted.

The House divided:—Ayes 299; Noes 95.—(Div. List, No. 188.)

Question, "That Sir James Corry, Mr. Elton, Mr. Gladstone, Sir John Gorst, Mr. Goschen, Marquess of Hartington, Mr. Samuel Hoare, and Mr. Illingworth, be other Members of the Committee," put, and agreed to.

Motion made, and Question proposed, "That Mr. Labouchere be one other Member of the Committee."

MR. ELLIOT LEES (Oldham): I readily admit it is expedient that we should have upon the Committee a Member of that school of politicians to which the hon. Member for Northampton belong, as representing a section of opinion in the House, and possibly, to some extent, in the country. But I would venture to suggest to the House whether it would not be better to select a politician who has taken, perhaps, a more serious interest in this question in preference to the senior Member for Northampton. We have heard from the hon. Member for Sunderland what a deep and serious interest is taken in this subject by the hon. Gentleman the junior Member for Northampton (Mr. Bradlaugh), and though I disagree with the views of both hon. Members, if Northampton is to be represented on the Committee, I would suggest it should be in the favour of the junior Member for the borough, whose name I would substitute for that of Mr. Labouchere.

Question put, and agreed to.

Question, "That Mr. John Morley, Sir Stafford Northcote, Mr. Parnell, and Mr. Sexton be other Members of the Committee," put, and agreed to.

Question proposed, "That Sir Hussey Vivian be one other Member of the Committee."

MR. STOREY: I regret to have to trouble the House once more on this matter. When we were told we were to have a certain number of Liberal Members on this Committee, limited in number, we thought it the more important that they should be Gentlemen representative of the opinion held by Liberals throughout the country on this question. I do not care how it may be reported upon in this House. I challenge contradiction when I say that throughout the country, not merely mild Liberal opinion, but the sober Liberal opinion of the thoughtful, intelligent, well-to-do among the Liberal Party is entirely opposed to the multiplication of these grants. That being so, it was only fair that the Liberals to be put on the Committee should be Liberals indeed. I have no personal objection to the hon. Member whose name has been read. He is, I believe, a Liberal, and now, I think, a Home Ruler, though on this point he once felt some hesitation, as he had a perfect right to do on such a large question. But I am not troubled about the hon. Member on that point. I have to consider his views in relation to his appointment to this Committee. His opinions, so far as they can be ascertained, entitle him to be counted as one of the Conservative supporters of the Government on this matter. He certainly does not represent Liberalism or Wales on this point. I hope the hon. Gentleman is here, for I am about to draw attention to a book the hon. Gentleman has published—an unfortunate thing to do—describing a visit he made to the United States, and I will take the liberty of making a reference to that book as indicating the hon. Member's opinions:—

"If Americans could only get over the first wrench and elect a King of the old stock ["Hear, hear," from Sir H. Vivian] under the same limited Constitutional conditions as our own Sovereign, they could weld their separate States into one compact and mighty nation! I cannot help suspecting also that they would not be sorry to transform their Senate into a House of Lords. There are fortunes amply large enough to support hereditary rank; and the men who will not now enter political life upon any consideration would doubtless do their duty as patriotically as our Peers if not compelled to face the dirt of candidature."

Well, are these Liberal opinions? Is there anything in this to lead us to suppose the hon. Gentleman will represent Liberal opinion on this subject? Unless the hon. Gentleman has changed his views, he in no sense represents Liberal feelings in the House or in Wales. I move that Sir H. Vivian's name be struck out of the list for the Committee; and if my Motion is successful, I shall afterwards move that the name of Mr. B. Rowlands be added.

The House divided:—Ayes 307; Noes 71.—(Div. List, No. 189).

Mr. Wharton, Mr. Whitbread, Mr. Whitely, and Mr. W. H. Smith nominated other Members of the said Committee.

MR. LABOUCHERE (Northampton): There are some words omitted from the Motion, probably by accident, and I propose to insert them. I shall move that the following words be added:—"That the Committee have power to send for persons, papers, and records." There have been expressions of opinion as to the meaning of the words of reference, but those expressions will have no sort of influence on the minds of the Committee, because it is for the Committee and not for the individual Members to decide on their meaning. It must, however, be clear to the House that the Committee should have power, if it wishes, to call for papers, records, and witnesses. Those words are usually put in, and that is why I said I supposed they have been omitted by accident. I do not suppose there will be any opposition to this Motion; but if there is, it will tend to show that the whole proceeding upon which we are now engaged, and the proposal before us, is a mere farce and a sham.

Motion made, and Question proposed, "That the Committee have power to send for persons, papers, and records."—(*Mr. Labouchere.*)

*MR. W. H. SMITH: These words were omitted not by accident, but by design. The Government have followed strictly the precedents which have been set by the Committees of 1831 and 1837-38 on the Civil List, and following these precedents we think it will be the duty of the Ministers who happen to be Members of the Committee to endeavour, to the best of their ability, to furnish information to the Committee to enable them to arrive at a proper and definite conclusion. The hon. Gentleman will himself realize that the inquiry which he desires power to hold might be made in a manner highly inconsistent with the judicial purposes of the Committee. Under these circumstances it is my duty to resist the addition which the hon. Gentleman proposes.

*MR. BRADLAUGH: I regret very much to hear the declaration of the First Lord of the Treasury. I also regret to hear my Colleague speak of the Committee and its proceedings as likely to be a "farce," and I regret that because his name is on the Committee, and I do not quite understand his accepting a sham position when he will have to play one of the characters in it. So far as I am concerned, I do not intend by my Vote in the Division Lobby to approve of anything which is likely to be a farce, and I contend that the Committee cannot be a reality in this case unless it has an opportunity of taking evidence. On all these matters Ministers may inform the Committee according to the best of their judgment, but it is to be borne in mind that the whole developments of the Civil List during each Act of Parliament has been in the direction of giving more to the Crown. I am quite sure that the right hon. Gentleman the First Lord of the Treasury speaks according to his view on this matter; but I am bound to say that I have during the last twenty years given my closest attention to the investigation of the Civil List, and the whole working of the Statutes, and the draftsman's changes in the words used show a disposition on the part of the Advisers and Representatives of the Crown—on the part of each succeeding Ministry—to enable the Crown to take larger sums from the nation time after time, while appearing to take less. The right hon. Gentleman puts it that Her present Majesty and the present Royal Family receive less from the State than other members of the Royal Family have ever received since the Great Revolution. In point of figures that is not true. It is perfectly true that the nominal amount of the Civil List is £385,000, and that the annuities to members of the Royal Family added to it make a lesser sum than the amounts

previously paid; but it is also perfectly true that sums, many scores of thousands of pounds, which are paid do not appear upon any total estimate, so that while the amount is nominally less, it is really greater, and you can only tell what is the amount taken by the Royal Family at the present moment, not by taking the sum total of the charges on the Consolidated Fund under the head Civil List, not by taking the annuities to members of the Royal Family which appear, but by going carefully through the Estimates, and seeing the sums of money, one after another, all borne in the Civil Lists of George I., George II., George III., George IV., and some of which were even contained in the Civil List of William IV., and which are not in any way paid out of the £385,000 of Her Majesty's Civil List, or from any charge on Royal annuities otherwise. I think, if the Committee is unable to take evidence, it will be left entirely in the dark, unless some Member of it happens to be perfectly well-informed. I think they ought not to have to depend solely upon the statements of a Minister who may happen to be a Member. I am pledging my word distinctly that, according to my research, the First Lord of the Treasury's statement is inaccurate; and I say that when such a difference arises between a representative of the people on the one hand, and a Minister of the Crown on the other, it ought not to be determined by an expression of opinion on the part of a Minister, but it should be determined by clear evidence put before the Committee. It may be said it is the intention of this inquiry to shut out every investigation into such facts. If that be so, then I share the opinion of my Colleague in saying that the proceedings of the Committee will be a farce, and I add that he will be wrong in sitting upon it and giving the weight of his position to it. But I cannot believe that the right hon. Gentleman the Member for Mid Lothian intends it to be a farce. If he does—and that is an almost impossible supposition—then the promise made by him when he was Prime Minister that there should be an investigation into this matter before any other grant was taken, must have been made with an intention that it should be broken, although the right hon. Gentleman pledged himself to this House upon it. I trust that the House will pardon me for speaking upon this subject with a considerable amount of decision, and perhaps an undue amount of feeling. It is perfectly true that there are hundreds and thousands of men and women in this country who feel a deep interest in this question. I do not agree with the declaration of the hon. Member for Leicester as to the feeling of the people in this matter. I believe there is a disposition among the bulk of the people in favour of Monarchy in this country. I also believe that they have been irritated over and over again during the last few generations by the way in which grants have been made, some of them upon the loosest statements in this House, and some upon statements which have frequently been contradicted outside this House, and have never been examined into. It must not be forgotten that during the time I have had the honour of a seat in this House I have challenged the Estimates year by year. I have always challenged the first item of expenditure connected with the Royal Family, and I have asserted that it is the only portion of our national expenditure upon which it is impossible for an unofficial person to form a judgment of the expenditure within twenty, thirty, forty, or fifty thousand pounds. I imagine I can prove that the cost of the Royal Family to the nation at the present moment is nearer £800,000 than any other sum; but the fact that I cannot turn to an account to prove this is a disgrace to the country. If I am incorrect in my assertion, it should be possible to show me, by turning over the Estimates, that I have made a rash statement without any kind of verification; but the fact is, that it is impossible to do so—it is impossible to say what is the real cost of the Royal Family; and we have had the Chancellor of the Exchequer obliged to stand up in his place in Parliament and say that the savings on the Civil List are matters on which the Treasury will not inform this house. I have said, outside the Committee, that the savings on the Civil List have been so large that if Parliament were right in fixing the List at the beginning of the reign at the amount it did, then those savings are large enough to maintain the grandchildren of Her Majesty, and

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MR. PICTON: This is a much more serious matter than the nomination of particular Members of the Committee, and it ought not to be lightly passed over. The hon. Member for Northampton is acknowledged to be a master of this subject; no one has answered him, and therefore the discussion must proceed. The right hon. Gentleman the Leader of the House refers us to the precedents of 1831 and 1837. Sir, we are living in the year of grace 1889, and that makes an enormous difference. Since 1831 successive enlargements of the franchise have been given, which have brought the people closer into contact with the Crown, and they now insist on having full information before they sanction these Votes. The right hon. Gentleman says that if these words were added to the Resolution the probability is that the powers would be used for the purpose of interfering with the judicial proceedings of the Committee. But, Sir, who is to blame for the selection of the Committee? All the Members nominated by the Government have, as was expected, been elected, and if, among those so chosen, there are any who would make an improper use of the power of sending for documents and examining witnesses, it would be a great dishonour to the Committee. The Government do not realize the changes that have occurred since these precedents were set. My hon. Friend behind me, the Member for Northampton, says I was wrong in suggesting that among the public there was any kind of indifference towards the Monarchy. I am not aware that that was what I said. What I did say was that there was a considerable amount of soreness of feeling upon this subject, which, if it were not properly treated, might lead to such feelings. Now, Sir, I must say that if there is one course of policy more likely than another to lead to these ill-consequences, it is a policy of concealment. If facts are concealed the people feel that there must be something behind which would justify them in taking an adverse view. Make it clear to the people that there are no savings on the Civil List which would be available for the maintenance of members of the Royal Family and all objection would disappear. But unless there are documents to prov it, unless witnesses can be examined, you will not get the people to believe it. Once let them think there is anything to conceal, and discontent will spread rapidly on all sides. I therefore earnestly hope that the Government will make this concession, and will act on the advice of those whose experience and patriotism are not less than their own.

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I am sure, excuse me—and will not suppose that the observation implies any mistrust of his word—on which I rely entirely—if I point out that if the Committee are not satisfied with the manner in which Her Majesty's Government redeems that pledge, it will be within the power of the Committee to come to this House and state that they are hampered in their investigations, and ask for the power which it is now proposed to confer on them by this Amendment. Under these circumstances, I cannot refuse to support the action of Her Majesty's Government, which adheres to the rules followed in former cases, and which in former cases have been found to be satisfactory, especially having regard to the fact that if Her Majesty's Government do withhold information which ought to be given, the matter can be brought up for review in this House. I attach great importance in these matters to precedents. These things have not been lightly done or in bad times, but in times when men of high character, and ability, and statesmanship applied their minds to them ; and so long as nothing more than a speculative objection to the course adopted on former occasions is adduced, I am content to follow in the footsteps of these men, until some strong and practical reason is forthcoming for departing from the precedents they have furnished.

SIR W. LAWSON (Cumberland, Cockermouth) : The right hon. Gentleman has made, as usual, a very ingenious and able defence of the course he thinks the Committee ought to take ; but those who followed his speech carefully will see the admission that the majority of the Committee will have power to do as they choose. Now we want to give an Instruction to that majority. We want the House to say what ought to be done, and not leave it to the majority of the Committee—in which a large section of the Members of this House have no confidence—to do as they like. I am strongly impressed with the opinion that the vote we are about to give is far more important than any other vote we have given this evening. I look upon it as a crucial vote, and I hope that the votes of hon. Members will be carefully scrutinised in the country. We have had a weighty speech from my hon. Friend the junior Member for Northampton, who we know is a master of this subject, and perhaps knows more about it than any man in this House. He has made it his study for many long years, and when he tells us that these papers and documents are necessary in order to get at the truth surely the statement ought to weigh with this House. The right hon. Gentleman the Leader of the House says there is no precedent for this. But why cannot we make a precedent? Why, in the earlier part of the evening the right hon. Gentleman the Leader of the Opposition himself said he was glad we had departed from precedent in adopting certain modes of appointing the Committee. It appears to me, Sir, it is of no use talking about the precedent of 1837 in the year 1889. We now have a new Heaven and a new earth—although I am sorry to say I cannot say that therein dwelleth righteousness. It is of no use quoting old stories about 1837. I honestly believe that if this Instruction is not given to the Committee the country will rightly look on the whole proceeding as a fraud. It is unworthy that a great nation like this should not go about the business in a more straightforward manner, especially when dealing with such an important matter as the administration of public funds.

The House divided:—Ayes 136; Noes 272.—(Div. List, No. 190.)

Ordered, That seven be the quorum. —(*Mr. W. H. Smith.*)

ORDERS OF THE DAY.

LOCAL GOVERNMENT (SCOTLAND) BILL (No. 187) AND LOCAL GOVERNMENT (SCOTLAND) SUPPLEMENTARY PROVISIONS BILL. (No. 188.)

Considered in Committee.

(In the Committee.)

Clause 19.

MR. HUNTER (Aberdeen): We now come to one of the important parts of the Bill. Up to the present we have been dealing with nothing but an empty shell. I now ask the Government to abandon their very imperfect and unsatisfactory scheme, and for once in the course of this Session agree with the people of Scotland. Now, Sir,

under this clause the Government propose to appropriate Scotland's share of the Probate Duty. It is supposed that the sum will this year amount to £234,000, and out of this they propose to give only £113,000 towards the relief of school fees, £30,000 towards the relief of local taxation in the Highlands, £70,000 for roads, and £21,000 to the Parochial Boards. A short time ago Lord Lothian received a deputation from the School Boards of Scotland, and he told the members of it that the Government had not acceded to the principle of free education, but had only agreed to grant relief from the payment of fees in the first three standards. I will not quarrel over words; if the Government think that the operation they have performed will smell more sweetly to their supporters under this name, far be it from me to deny them the gratification. Now the views of the Government have been before the people of Scotland for some time, and there has been an absolutely unanimous expression of opinion from School Boards and schoolmasters in condemnation of the proposals. The School Boards for Edinburgh, Glasgow, Leith, and Aberdeen went so far as to send a deputation to the Government pointing out very weighty objections to the scheme, and asking the Government to at least extend the relief to the compulsory standards four and five. The schoolmasters also agree that it is a mistake that this relief of fees should not be extended to the fourth and fifth standards, and they contend that serious injury will be done to education in Scotland if the extension is not agreed to. The Edinburgh School Board are of opinion that partial relief from school fees will lead to serious difficulties of administration; it will lead to irregularity of attendance; and it will prove a temptation to parents to withdraw their children from school if they are disappointed in their application for relief from school fees. A body representing the elementary teachers of Scotland also sent a deputation to the Lord Advocate. They pointed out that there was a growing tendency for children now to leave school at an early age; that it constituted a serious obstacle to real educational progress; and that if fees were abolished in the lower standards and retained in the higher that tendency will be intensified. Surely that would be the natural result of not making parents pay fees when school attendance is absolutely compulsory, and insisting on payment when there is really no compulsion for attendance. This is strong testimony as to the injurious and practical consequences of the half-and-half measure of giving relief in the three lower standards. The success of the schoolmasters in cramming children in order to get through the lower standards has been so great that they are able to leave school a year earlier than the age laid down in the Act. That is most unfortunate thing, because they are crammed merely for the purposes of examination, and they leave school at so early an age that the lessons they have learned are apt to become obliterated. I believe the general opinion in Scotland among the teachers is in favour of making the sixth the compulsory standard, in order to keep children at school a sufficient time to impress upon their minds the lessons they have learned. Another difficulty is this—that the new proposal will disorganize the whole finance of Scottish School Boards. The theory upon which the Government proceeded was that the total school fees in the three lower standards amount to £155,000, or exactly one-half of the entire school fees in Scotland. No doubt, generally speaking, that is correct; but it is not absolutely true in some cases—for instance, Glasgow—which would lose about £5,000 under this scheme. It would also involve much hardship and loss in other cases. If the Government once relieve the three lower standards from payment of fees, it will be impossible in future to compel the parents to pay fees for their children in the higher standards; and the end of it will be that the Government will be obliged to apply the whole of the Probate Duty to the relief of school fees, thus freeing all standards below the sixth. All classes of the community in Scotland are awaiting the decision of the Government with anxiety, particularly the poorer classes, with whom the question of school fees is a more serious matter than with people in a similar position in England. I may mention that England's share of the Probate Duty exceeds all school fees in England by £100,000, while Scotland's share

falls short of the school fees by £70,000. Hon. Members will now see how serious a question this is for Scotland. There is one part of the scheme in support of which I do not think it would be easy to advance any argument, for everybody has condemned it. It is the proposal to throw upon School Boards the burden of discriminating what children, on account of their necessitous circumstances, shall be relieved from the payment of fees. The School Boards, one and all, declare that this is a duty which it is out of their power to perform, because they have no means of discovering what the situation and circumstances of the parents may be. That is the sort of work to be discharged by the Parochial Board with the means at their disposal, and which the School Board can never discharge to the satisfaction of the Scottish people. What the Committee have to consider is not so much the abstract merits or demerits of the proposal in the Bill, but a comparison of the two ways of spending the money at our disposal. I say that the very same arguments, the very same considerations, that drive the Government to give up the three standards apply *à fortiori* to completing the task begun, by giving up the five standards. The hon. Baronet the Member for Wigtonshire (Sir Herbert Maxwell), in a speech made on the Second Reading of the Bill, referred to some figures I had given; and though he did not attempt to contradict them, he tried to palliate the force of those figures, and gave an illustration of the mode of distribution by the Government, and the application of the money to school fees. But the case the hon. Baronet referred to was that of a man paying £12 a year rent. Now out of 22,800 rate-paying householders in Aberdeen only 4,336 would come within the category of paying £12 a year and upwards, so that the illustration left out 18,500 of the inhabitants of the town. The argument for applying this money to the relief of school fees is simple and reasonable. In the first place, that application of the money would have an educational value; and, in the next place, it would have a social value. The educational value is this—that it removes the obstruction to the attendance of children. Generally speaking attendance is compulsory; but compulsion has not been carried out to any considerable extent. School Boards in Scotland are not stringent in carrying out the compulsory clause; and one main reason for this slackness is that in so many cases parents cannot afford the fees, and the School Boards are reluctant to compel them to go upon the pauper list, in order that their children may attend school, and so we feel that this concession, apart from the limitation to the three standards, will be attended with the greatest possible value to education in Scotland. But there is also the social value. I do not wish to press this argument too far; but when the Committee remembers that the payment of fees is not voluntary—the law imposes the payment upon parents, whether they have the means or not, for the education of their children, and releases them from that obligation only by affixing the stigma of pauperism—the relief from the payment of school fees is undoubtedly a great boon; but it would be a much greater boon but for the alternative proposed by the Government to give relief to local rates also. Owing to circumstances, it is not now necessary for me to enter into the subject. We in Scotland laugh at the burden of rates which is felt to such an extent in England. To the great bulk of the community the relief to the rates proposed in Scotland will be unappreciable, and to the larger ratepayers insignificant. I take, by way of illustration, the figures of distribution among the householders of Aberdeen, and considering these an average for the whole of Scotland, £100,000 devoted to the relief of the rates would yield the following results:—7,721 persons would be relieved to the extent of 1½d. a year; 9,945 would get 3¾d.; 3,470 would get 7d.; 1,176 would get 1s. 4d. a year; 360 would get 2s. 10d.; and only 38 in Aberdeen would get more than that. It is obvious, therefore, that £100,000, or even twice the amount given for relief in this way, would be unappreciable. You might as well throw the money into the sea. I do not wish to deprive the Government of the claim to popularity that no doubt will be recognized in that they have gone so far as the three standards, and I would not drive them from that position—better that than nothing at all to the relief of education; but I insist on the folly of stopping short

there, and not making this a real benefit to education and meeting a wide-spread grievance. I deal now with the grant of £30,000 to the Highlands, and here we have to consider—shall we relieve the landlords, or shall we abolish school fees? My first objection to the Highland grant is one of principle. The Highlands ought to get their fair share in the distribution of the money in Scotland. If they get more than a fair share, the grant ceases to be justice and becomes alms. I do not say that there may not be circumstances that may justify a Government in giving alms; but, if such alms are given, they should be given from the Imperial Exchequer, and not out of the money assigned to the people of Scotland. I may refer to the Drainage and other Bills now before the House, by which it is proposed to devote a million of British money to various industrial enterprises in Ireland, and there is a recognition of the principle. I maintain that when you have exceptional distress or difficulties to meet, the funds should be provided from the Imperial Exchequer. In my view, the chief distress in the Highlands has arisen from the misconduct of the landlords, from the exorbitant rents they have exacted, and their refusal to give the people land to cultivate. The Imperial Government in 1886, recognizing their obligations in this respect, appointed a Commission, and that Commission has reduced the rents, and I hope beneficial results will follow. This is a recognition that the distress in the Highlands arose from the action of the landlords and Parliamentary negligence; but why are the people of Scotland to pay £30,000 for this? Suppose that the landlords in these Highland districts get immediately or ultimately £24,000 of this £30,000, it would only mean the addition of £14 to every £1,000 of the landlord's income. Now, I put it to the Government, are they prepared to say, from platforms in Scotland, that the reason why they could not abolish fees in Standards IV. and V. was because they wanted to give assistance to landlords in the proportion of £14 to every £1,000 of rent? That is putting the case for the Government in the most favourable light. It is doubtful whether the landlords would benefit to the extent of £14. Last year the Government gave, I believe, about £23,000 to the relief of the poor rates, and £3,000 to the School Boards; but after all their experience in squandering public money the Government could find no means of expending £4,000, and it went back to the Exchequer. Of the £23,000 appropriated to the relief of the rates, £11,500 went to the relief of the landlords, the other moiety to the tenants. But the total reduction of rents by the Crofter Commission was less than £8,000 a year; so that at once you give the landlords a larger sum than is taken away by the Crofter Commission. But this is not all. It cannot be disputed that of the other £11,500 the larger portion will find its way into the pockets of the landlords. It is difficult to form an exact opinion on this head; but, taking four parishes as typical cases, it would seem that about £3,000 goes to the relief of crofters and cottars, the remainder of the £11,500 being divided among larger farmers and sporting tenants. I may remind the Committee that since the Education Act of 1872 was passed, the cost of education has ceased to fall entirely on the heritors, and is divided between occupiers and landlords. As regards the poor rate in the Highlands, of course it is quite true that it differs in different parishes; but it is not true that the high poor rate is the growth of very recent times. If we examine the records as to the Highlands in the past, we shall find it is sufficiently old to be called a hereditary burden, and lands have passed through various hands, and the amount of the poor rate has been taken into consideration in fixing the price. But what is this terrible poor rate? We are familiar in London with local rates exceeding 5s. in the £1. The rate in Argyleshire is 1s. 6½d., including education and poor rate, and the other rates too small to be worth talking about. In Inverness it is 1s. 10¼d.; elsewhere 2s., 2s. 2d., 2s. 5d., and in Shetland 3s. 6d. Hon. Members from England are familiar with much higher figures. The average throughout Scotland is 1s. 1½d.; the average in the Highlands is 2s. I do not consider these rates as so exorbitant as to require the special intervention of Parliament. In arguing the case the supporters of the Government proposal never fail to quote the fam-

iliar instances of Lochs, South Uist, and other parishes in which these rates are exceptionally high; but these are the very parishes that have given so much trouble to the Government, and the rates are exceptionally high there because the landlords have been more than usually extortionate, and there they should suffer for their ill-doing. Again, I say, if in a few exceptional cases relief should be given, that should be given from Imperial Funds; it should not be a charge upon the Probate Duty. While the distribution of the money among the Highland lairds will do them little good, the refusal of relief from school fees in the fourth and fifth standards will be severely felt by the occupiers; and if the Government deliberately say the Highland lairds are to be preferred to the people of Scotland, the Government and their Party will inevitably suffer for it in the future

Amendment proposed, in page 10, line 9, leave out all the words after the word "applied," to the end of Sub-section (1.)—(*Mr. Hunter.*)

Question proposed, "That the words 'by or under the direction of the Secretary,' stand part of the Clause."

MR. FRASER MACKINTOSH (Invernessshire): My hon. Friend has, as he usually does, stated his case with precision and clearness, but I think we have heard most of it before. I entirely disagree with his conclusions, and I can say that the £30,000 specially granted to the Highlands and Islands last year was productive of very great benefit indeed, when it was most needed, and I hope the Government will not consent to give up that part of their scheme. I am quite as much in favour of free education as my hon. Friend, and years ago I took a prominent part in the movement; but, at the same time, I recognize that the Government have made a very great step in the direction I wish them to go, by freeing the three standards, and so far as I am concerned, I am in the meantime satisfied. My hon. Friend the Member for Aberdeen was strong in his denunciation of the manner in which the £30,000 was distributed, and he seemed to imagine that it, in a great part, went into the pockets of the landlords, chiefly great landlords. But he forgets that the great landlords, of whom his greatest complaint is made, form but an inconsiderable part of the whole number. In Inverness parish there are almost as many landlords as occupiers, and the sum that fell to Inverness last year out of the £30,000 amounted to £1,600; and I can assure the Committee that it was the means of affording most substantial relief—not to the great landlords, for we have none in the parish of Inverness, but to a great number of small landlords and occupiers. It must not be forgotten that the rates fall half on the owners, half on the occupiers; and speaking for Invernessshire, and more particularly for the Islands, I say great benefit has been derived from the assistance, and I protest altogether against the position taken up by the hon. Member for Aberdeen, in his reference to the condition of the Highlands. We have to deal with counties in an exceptional position; we must take facts as we find them. There is much distress to deal with, and which cannot be met in the way the hon. Member suggests. The hon. Member takes exception to the source from which the grant comes, and says it ought to be made from the Imperial Funds. That is all very well, and he may be right; but, meanwhile, I do not see any chance of a Government grant, and this being offered from the Probate Duty, I accept it. All I wish to say is, do not let the Committee run away with the mistaken idea that this grant goes to the relief of the great landlords; the relief to small landlords, widows, and occupants is most substantial, and I hope the proposal will be left as it stands.

*MR. HOZIER (Lanarkshire, S.): I am firmly convinced of the advantages of free education as far as Scotland is concerned. My experience on the School Board in a poor district brought vividly to my mind the destitution of the poor parents who were brought before us to be reprimanded for the non-payment of school fees, and I have never forgotten the scenes I then witnessed. I am very strongly in favour of a scheme of free education, provided that, as far as possible, no additional burden is cast on the rates, and that the position hitherto occupied by the denominational schools is not interfered with. I consider that the scheme now before

the House fulfils both these provisoes, and therefore I cordially support it. I myself look forward to the happy day when the fees will be paid out of the Imperial Exchequer; but we must walk before we can run, and until that happy day arrives I content myself with what we can get. I am greatly in favour of the amount at present allocated towards freeing the standards being increased by the addition of the sum at present assigned to the Highlands and Islands. There is no doubt whatever that the Highlands and Islands require and deserve a grant of public money; but I do say that if exceptional distress occurs in any part of the United Kingdom it ought to be relieved by a grant from the Imperial Exchequer. If there were exceptional distress in Cornwall, for instance, relief would surely be obtained, not from the English rates, but from the Imperial Exchequer. The same thing happens in the case of exceptional distress in Ireland. I would refer the Committee to a few words that appeared on the 8th of June in the *Economist*, a newspaper which I should not say is saturated with Scottish notions. The writer of an article on the Scottish Local Government Bill points out that when special grants are made to the poorer districts of Ireland, such, for instance, as the sum now to be given for Irish draining and railways, the money is taken, not out of local, but out of Imperial Funds; but that in Scotland the money to be devoted to such purposes is to be derived from a fund set apart for the relief of Scottish rates, so that the richer districts of Scotland will not only be made to support the poorer districts of their own country, but have also to contribute along with England towards the relief of the poorer districts of Ireland. "Is this right?" asks the *Economist*. I answer most emphatically No, and I have great pleasure in supporting the Amendment, which is practically the same as that of which I have myself given notice.

*SIR G. CAMPBELL (Kirkcaldy): I am a little sorry the Amendment has been brought forward in its existing shape, because I think it a little prejudices the view which the hon. Member opposite takes, and which I share with him. The Government have so far committed themselves to freeing education that they must find the money sooner or later. The principle I should like to apply is that the Imperial grants in aid should be maintained, and all that remains should be devoted to the freeing of education, and no part of the surplus should be devoted to the further benefit of the ratepayers. The particular question we have before us on the first sub-section relates to the £40,000 which is proposed to be given for the special relief of the Highlands. There are no doubt districts of Scotland where the rates are too high to be maintained, but I wish to take my stand wholly and entirely, not on the question of whether the necessity is so great as to demand the making of this grant, but whether it is not unjust that this special burden should be thrown upon Scotland. I ask myself why in this matter should the County of Fife, with which I am connected, be placed in a position of less advantage than the County of Middlesex or the County of Kent? We are still a United Kingdom, and we have no Home Rule for Scotland. I should be very glad to obtain a certain amount of financial Home Rule for Scotland, and when we do obtain it no doubt it will be fair enough that we should be told we must provide for our poorer districts. But that day has not yet arrived, and it is not for a moment suggested that in other parts of the kingdom the poorer districts should be supported by their immediate neighbours. With regard to the Irish Drainage Bills, I may say I do not like them, and have opposed them tooth and nail on the ground that they are not fit subjects for eleemosynary aid. But when we take the case of the light railways, I am satisfied that some assistance may properly be afforded. It has, however, never been proposed that the money needed to provide that assistance should be derived from Ireland alone, and it is to come from the Imperial Treasury. I think the Government would find it totally impossible to suggest for one moment any reason why this special grant should be imposed on Scotland rather than upon the Imperial Exchequer, or why the Lowland counties of Scotland should receive less Imperial aid than the counties of England. I can conceive no reason for that course. On the contrary, the figures, I think,

prove that curious injustice has been committed in this respect. I have never been able to understand quite the ground on which the Chancellor of the Exchequer settled the 11 per cent. of the Probate Duty he has to give to Scotland. He said it depended on complicated figures that he could not submit to the House, and he has not satisfied the House as to that proposal. No doubt he gives us what we are entitled to in regard to population, but we have a right to expect more, as he said the amount would be settled on the combined basis of population and taxation. Well, I do not think it can be denied that Scotland is more highly taxed than England, having regard to the duty on whiskey, and to the fact that Scotland is a whiskey-drinking country.

THE CHAIRMAN: The hon. Member is not confining himself to the question before the Committee.

SIR G. CAMPBELL: I will not pursue that argument further, but I hold that there is no reason why this grant should be saddled on Scotland rather than the whole of the United Kingdom. No doubt this claim is one the right hon. Gentleman the Chancellor of the Exchequer finds it difficult to resist, and that accounts for his absence from the House at this moment. I strongly support the Amendment.

*MR. ESSLEMONT (Aberdeen, E.): I must say I rather deprecate the bringing of the Highlands and Islands into conflict on the question of free education. The Government and the Committee should face the fact that if the money at the disposal of the Government is not sufficient to free education, the school rate should be raised for that purpose. But though I deprecate the arguments used for and against the grant of £30,000 to the Highlands and Islands of Scotland, I would submit this for the consideration of the Government. I have been recently down in Fifeshire, and I know the opinions that are prevailing there. More than that. I myself represent a large number of agricultural labourers and fishermen in Aberdeenshire. Many of these people are very poor, and are contending with the same disadvantages as the Highlands and Islands, and it is no disrespect to my constituency or to the Highlands of Scotland to say when Inverness is spoken of, that that county is no more distressed than the Lowlands, so far as regards ability to pay school fees. We are willing to discuss the question of the Highlands and Islands and this grant on its merits. The poor people of the Lowlands are to be asked to pay their share of the £30,000, and at the same time pay school fees after the Third Standard for their own children. We submit that the fishermen of the Highlands have got a great deal done for them—and we do not grudge them what they have obtained—but we do complain of our poor fishermen in the Lowlands being deprived of that share of school fees which they think they are entitled to. I grant that this being perhaps the most important Amendment on the Paper, we ought to consider it gravely in all its bearings. I hold the opinion that we ought to give remission of the school fees rather in the higher than in the lower standards, though I quite admit that it will be a boon to give them in the lower standards. It will, however, introduce into our schools a new principle altogether, and so far as I have been able to obtain the opinion of people engaged in the School Board Schools, and interested in education, they are unanimous in thinking that to complete this boon and make it satisfactory, you can by no manner of means stop at the Third Standard, but should go to the Fourth and Fifth Standards. But we are not really to stop at the Third Standard form, we are to the fourth and fifth, by placing the present duties of the Parochial Boards on the School Boards, making the latter an inquisitorial body, who in place of having their minds directed solely to the education of the people without regard to their condition of life, have to take upon themselves the work of the Parochial Boards, and to go poking round to see who are to receive the surplus money on account of their poverty. Having had many years' experience, I am one of those who from the outset thought it a bad thing to send people, particularly those on the verge of poverty—widows and working men out of employment—to the Parochial Board simply to obtain remission of school fees. When you send people to the Parochial Board for this purpose you degrade them and show them a new road to the obtaining of assistance, to which they are very apt to return. Once they get over the pangs of having their

school fees paid, it is easier for them to go for eleemosynary relief later on. Therefore, I have always been against parochial relief of fees; and I say the objections to the system will be as great if you require the poor people to go to the School Board for remission of fees. They will be unable to obtain the relief without submitting to an inquiry into their circumstances and making out a case; and I submit that it is not relieving us of a difficulty in this matter to send the people to the School Board for relief. But even this difficulty might be got over were it necessary. We all know that it is not necessary. The experience we have of collecting the school fees in some of the large districts in Scotland, is, such as to make it not worth while to collect the money, and teachers of great earnestness and ability have told us again and again that the work getting in the school fees and looking after the financial arrangements of the schools is a great hindrance to education. Therefore, if there is one thing to which there should be no degradation or disability attached in the eyes of the law, it is the school. Why should we not have our children attending elementary schools on the platform of equality? Having gone nine-tenths of the way, why do we not go the whole length of declaring that as education is a necessity, and as it is the duty of the State to look after it and enforce it if necessary by pains and penalties, the State should find the means for it and put the burden on those who are best able to bear it—namely, the taxpayers. Considering what we have to gain, I do not think it is worth while to discourage the sending of children to the higher standards by limiting the relief to the Third Standard. And, in conclusion, I would ask, is it worth while to discuss this side issue of the Highlands and Islands, putting the one against the other when we know we have the means of giving relief to the five standards without inflicting the slightest hardship on any part of the country. The Lord Advocate knows when he is giving this first instalment of what we call "free education" in Scotland, but which is really providing for the abolition of school fees, that we can never stop at the Third Standard. It is in his power to put a stop in Scotland to the agitation, which will undoubtedly continue until our object is attained. Would it not be better then, I ask, for the Government themselves and for the country at large to make this concession fully and freely?

*MR. FIRTH (Dundee): I must say that it was with a feeling of the utmost satisfaction that I saw that an Administration, and above all a Conservative Administration, had in Sub-section 4 of Clause 19 introduced a proposition that a large sum of what may be regarded as public money should be directed towards providing free education. It is a thing upon which we may not only congratulate ourselves but also congratulate them. There can be no doubt that this is the thin end of the wedge, and the sooner the wedge is driven home the better. It is now some years ago since, as a member of the London School Board, I had an opportunity of forming an opinion on this question. I regard it as creditable to Scotland, that has always led the van in educational matters, that it should have been owing to the pressure that she has brought to bear on the Government that we have obtained any recognition at all of this principle of free education. Well, now, we compel parents to send their children to school, and deprive them of their Common Law right to their services. On the other hand, if it be to the interest of the nation that all children should be educated, the nation should take care that that interest is secured at the least possible cost to the parents. In this Bill you are prepared to give relief up to the Third Standard. But the Third Standard is not far enough. I confess I see no reason for stopping there except expediency, governed by the amount of money you have available after these other allocations. You have a duty towards the education of the poor. It is a duty which extends not merely to the earliest age and to elementary, but perchance to secondary, education also. I certainly hope the time will come when we may have education free, not merely in its elementary stage, but as it is in the great cities of America, and has been for a hundred years, right enough through the high school to the normal school. In that way only can you give all children the best opportunity of developing such talents as they have. I hope the Amendment of my hon. Friend may be passed, not because I have for one moment any

doubt as to the advantage which would accrue from the allocation to the Highlands and Islands, but because it seems to me that the establishment or extension of a system of free education may rightly be defended as a sound economical policy, wise in itself, likely to be productive of general good, and likely, by extending the area of what may be termed the Scotch object lesson on free education, to bring about through all the kingdoms that result which, in my opinion in this matter, is especially to be desired.

Notice taken that 40 Members were not present; House counted, and, 40 Members being present,

MR. CALDWELL (Glasgow, St. Rollox): It is important to keep in view that this is a part of what is termed the Probate Duty allocated to Scotland, and it is also important to remember the fiscal policy upon which that Probate Duty was granted. In the Budget speech of last year, the right hon. Gentleman the Chancellor of the Exchequer (Mr. Goschen) pointed out that as regards Succession Duty 3 per cent was paid by personalty, whilst the amount paid by realty was, he said, a great deal less. He said that the reason for the difference was that local taxation was borne entirely by real property, whereas personal property paid no share whatever of such taxation. With the view of making personalty contribute towards local taxation, he took 1½ per cent of the personalty and handed it over as being, in the opinion of the Government, the just contribution of personalty towards local taxation. He raised the Succession Duty 1½ per cent, and handed 1½ per cent of the Probate Duty over to local taxation. I am not going to argue the question whether the policy of the Government was right or wrong, but that policy was that local taxation was to get the whole of the Probate Duty. Accordingly, in the case of England, the Probate Duty grant goes entirely to the local ratepayers, and the same thing happens in the case of Ireland; but in regard to Scotland the Government, for some mysterious reason, say — "We have some money in hand, and we will leave it to the Representatives of Scotland to say where that money shall go." Now, it is a fallacy on the part of the Government to say that this money is at the disposal of the Scotch Members for any purpose they may think fit to devote it to. It was part of the Chancellor of the Exchequer's fiscal arrangement that this money should be devoted to local taxation; and it is for the Government to explain why it should be withheld from local taxation and applied to a different purpose. They have departed from the terms of their own fiscal arrangement, and they will find that it will be contended that personalty does not pay the local rates. Take the case of house property in a burgh. Who is it that pays the local taxation? A purchaser purchases the property with the burdens upon it, and it cannot be said that he really pays the rates. The rates are found out of the rent, which comes directly from the industry of the people. As to the special sum dealt with by the Amendment—£30,000 for relief of local taxation in the Highlands—I am not going to argue whether the Highlands require that relief or not. Assuming, however, that they require special relief, out of what pocket should it come? I venture to say that as long as there is Imperial control, exceptional distress must be met by the Imperial Government. There is no special difference betwixt the case of the Highlands and the case of many parts of Ireland. This Session Drainage Bills have been introduced to meet the case of exceptional distress in Ireland, and large subsidies are to be paid out of the Imperial Exchequer to provide necessary drainage works in poor districts in Ireland. On what principle is it that this is done in Ireland, and that we are not to have the exceptional distress in the Highlands met out of the same Imperial purse? We are asked to contribute towards the relief of exceptional distress in Ireland, and, at the same time, we are invited to devote our share of the Probate Duty to the relief of distress in Scotland. The proposition is most monstrous. We do not dispute that Ireland is entitled to assistance out of Imperial funds if she requires it; but we say that if there are parts of Scotland equally poor, they ought not to be treated in a different manner. The policy of a Unionist Government would be to treat every part of the United Kingdom alike, but here Scotland is being treated as if she were part of an

independent kingdom. The policy of the Government seems to be to split the country up into independent kingdoms, and to treat Scotland as if she were one of such kingdoms by making her pay for her own poor. I object to the manner in which this money is proposed to be distributed by the Secretary for Scotland. I moved for a Return showing how the distribution was to be made. I find from that Return that in the County of Argyll there is a parish which is to get £609, although it is only assessed at 11¾d. in the £1. Dunoon is to get £500 of the money. I am not aware of any exceptional distress in Dunoon, and the assessment is only 5d. in the £1. There never was a more disgraceful expenditure of public money than is proposed in that case. The average assessment in Scotland is 1s. in the £1, and Dunoon has no poverty whatever in it; but, of course, Dunoon is in Argyllshire, which is represented by an hon. Member on the other side of the House, and that is why the people are so favoured. Then we come to the case of Inverness. That town is to receive £1,600, and the total assessment is only 1s. 4d., or little more than the average. Did anyone ever hear of any exceptional distress in Inverness? St. Andrew's, in which the assessment is only 9d., is to get £141. These illustrations show clearly that the money is to be expended in an improper manner. I contend that relief of local taxation will afford no relief whatever to the poverty-stricken Highlander. Who pays the rates in Highland parishes? They are most of them paid by the landed proprietors, and only a small proportion by what is called the crofting population. The people who suffer from the distress will not get one farthing of the £30,000 which is to go in the relief of local taxation, because they are too poor to pay any rates whatever. If the money is intended to benefit the Highlanders it should be spent not upon grants in aid of local taxation, but for the purpose of developing the resources of the districts by opening up communications with the fisheries and constructing harbours. This £30,000 represents a capital of about £1,000,000. I say that if you expend £1,000,000 in opening railway ommunication where necessary and herwise developing the districts, the esult will be enormously beneficial in putting an end to a great deal of the privations which the people now suffer and enabling the people to live by honest industry. You will also benefit the landlords, because the people will cease to be a burden on the poor rates, which will necessarily decline as prosperity increases. If you pursued a policy of this kind you would be doing no more in the Highlands than you are doing in Ireland. I object to the assistance proposed to be given to the Highlands being granted out of Scotland's share of the Probate Duty; I object to the £30,000 being handed over to the relief of local taxation, and I object to its allocation in the manner proposed by the Secretary for Scotland. In regard to any special grant with respect to education, I maintain that that also must be paid out of the Imperial purse in accordance with the usual arrangements which have been recognized for many years, and I have no hesitation whatever in opposing the introduction of this clause and in supporting the Amendment.

MR. MARK STEWART (Kirkcudbright): I do not propose to reply at any length to the somewhat lengthy speech of my hon. Friend opposite, but I shall endeavour to explain the reason why I intend to vote as I do on this question. I can only regret that the Chancellor of the Exchequer is not here to hear the almost unamious expression of opinion on the part of the Scotch Members that this sum of £30,000 ought not to come out of the Probate Duties. I hope the Government may see their way to give way on this point. I do not at all grudge, as my hon. Friend seems to do, the £30,000 to the Highland parishes. I have looked most carefully into their positions, and have good reason to know how much they have suffered for some years past. I do not think the House ought to turn a deaf ear to the claims of these parishes or refuse to give a sum of money equivalent to the £30,000. I should like to say one word in regard to the question of free education. In Scotland, from one end to another, the opinion on the subject is so strong that no Government could resist it. My own inclination, I am bound to say, is very strongly in favour of freeing the education given in the Sixth Standard, and working down-

wards; but I believe that if we get the first three standards, the others cannot be left out of consideration, and it does not require much foresight to perceive that the whole thing must be made free in the near future. I am sorry that the otherwise able speech of the hon. Mover of the Amendment should have been marked with so much bitterness towards landlords in the Highlands. I have no property in the Highlands myself; but I believe that that many of the hon. Member's censures are most undeserved, and that many of the Highland landlords have suffered great privations from what appears to me to be the unjust intervention on the part of the State. Speaking from great experience, I think it would never do to impose heavier or larger rates than at present exist. The great thing we have to do is to endeavour to make the rates fall as lightly as possible upon those who have to bear them. I do not follow the last speaker in regard to the cases he cited in which parishes, with comparatively light rates, were to receive grants from this money. I should have thought that the exceptions proved the rule. Although there may be cases in which assistance is not wanted, there are, at the same time, so many other cases in which assistance is really required that it was hardly worth his while to stand up in this House to quote two or three cases which certainly would hardly bear inspection.

*Mr. A. SUTHERLAND (Sutherland): As the Representative of one of the constituencies to be affected by this grant of £30,000 I do not object to the Highlands receiving it, but I do object to the claim of the Highlands to such a grant being pitted against the right of the whole of Scotland to free education. I regret very much the case has of necessity taken that form. I do not blame those who are anxious to get free education in Scotland; the necessity has been forced upon them. There is one point, however, to which I wish to call attention, and that is—that in the granting of free education to Scotland, the Highlands will benefit just as much as other parts of Scotland. No special grant to the Highlands could be so beneficial to the people as a grant for free education. Money devoted to free education secures the best return. There have been practical examples of the desire of the people of the Highlands for free education. I could mention several School Boards in my own constituency the members of which have shown their appreciation of the value and necessity of free education by abolishing school fees. I could give the names of several parishes in the County of Sutherland the School Boards of which have reduced the school fees to the nominal amount of one penny. I do not wish to detain the Committee by pointing out why this Nemesis has overtaken the landlords. It is utterly impossible for the landlords to escape the result of their policy in the past. It has been well pointed out that the reason why there is necessity for a grant of some kind is that the landlords of the Highlands have hitherto created and fostered pauperism. If you turn the land into deserts, the people must of necessity fall into pauperism. I rose principally for the purpose of emphasizing the appeal that has been made to the Government by Members of the House who have got a claim upon them, such as the hon. Member for the St. Rollox Division. I think the Highland people have a claim to a grant; but from what I know of the sentiments of the people, I am persuaded they would rather continue to bear the burdens they now have to bear than be the means of depriving the whole of Scotland of the boon of free education in which they themselves would participate.

Sir A. CAMPBELL (Renfrew, W.): This has been a very valuable discussion; but I think one point has been forgotten, and that is, that the Probate Duties were originally given in relief of rates, because personalty did not contribute the same amount to the relief of local taxation as realty. I yield to none in my desire to see education brought as cheaply as possible to everybody's door, more especially when we insist upon the operation of the compulsory clauses. But we have to look to the source from which the money has to come, and during the two elections I have fought the question was brought up, and I had to oppose what was then called free education, because I was opposed to making the ratepayers who had been put to great expense in educating their own children pay for the education of

the children of others. But when I find that, in consequence of the admirable manner in which the Chancellor of the Exchequer has managed the financial affairs of the nation during the last two or three years, there is a considerable surplus of money to be given to meet local taxation, then I think the thing is very different. I am sorry that the sum to be devoted to this object is not larger. I wish a grant could be made in respect of education in the whole of the six standards; but we must cut our coat according to our cloth, and I think that the Scotch people will not be sorry to find that a boon has been given without imposing an extra penny of taxation upon them. Many allegations have been made as to the effect of this boon. It has been said it will actually cause a deterioration in the education of the country. I do not think that is very likely. Surely those who have had so much money expended upon them will like to finish their education. There is one class in whose behalf I desire to plead, and that is the clerks. There are many artizans whose earnings are larger than the average amount of money paid to clerks. A clerk has to keep up a respectable position, and if his master found he was not giving his children a good schooling, he would most likely lose his situation. To this class this relief will be a great boon. Now, as to the grant of £30,000 to the Highlands, we must look at the reasons for the giving of the grants on the first occasion. It is all very well for hon. Members opposite to say that the money given will only go into the pockets of one class. It is true those unhappy crofters who do not pay any rates will not get any benefit at all; but surely it would be wrong, when you are giving certain money from the Imperial Exchequer in relief of rates, to exempt landlords and the small proprietors from participation in the relief.

*SIR G. TREVELYAN (Glasgow, Bridgeton): I do not propose to speak longer than we are accustomed to speak in Committee, because we have had two speeches—that of the hon. Member for Aberdeen (Mr. Hunter) and that of the hon. Member for St. Rollox (Mr. Caldwell)—which have put the whole case in such a manner that it is impossible to supplement it. I only regret the Chancellor of the Exchequer had not the good fortune to hear the speech of the hon. Member for St. Rollox, for it must have brought conviction to the breast of any hon. Member accustomed to finance. What hon. Members do not appear to have noticed is that we are not here to discuss the question whether we shall give £30,000 to the Highlands. We are discussing whether we are to make an eternal and immortal appropriation of £30,000 a year from the taxation of Scotland for the relief of an exceptional part of Scotland. We all know what will happen. If the Government stick to their guns a great number of English Members who have not heard the debate will come from without and outvote the nearly unanimous voice of Scotland. And this will be an occasion when the monstrosity of that proceeding will come out in the liveliest colours. We have spent the best part of two evenings—and I do not regret it—in resisting the so-called relief of Ireland, from the pocket of the taxpayer, in the shape of drainage loans and drainage grants, but on that occasion hon. Members who had not heard the debate were dealing with their own money and with the money of their own constituents. But on this occasion they will come in and vote for the relief of a special part of the country, not even out of the money of their own constituents, but out of the money of the limited number of Scotch Members, every one of whom, except the official Members, and the Members for the districts, which are said to be benefited—[*Cries of* "No!"]—except some of them, and I am glad to hear it—and except the hon. Member for Renfrewshire (Sir A. Campbell) will be heartily opposed. Does the Chancellor of the Exchequer know what he is doing? He is actually giving out of Scotch taxation £30,000 to relieve certain special districts of Scotland, and to what quarter that relief will go has been shown by the hon. Member for St. Rollox in a manner that cannot be answered. We were complaining lately that grants from the English Exchequer were given for drainage purposes to rich districts of Ireland. But here we have the money of the taxpayers of Scotland that is given to the relief of the rates in parishes, which are very lightly rated as compared with the great number of parishes which will

be taxed to relieve them, and this is being done for ever. What a waste of money is this! Under this clause £100,000, as nearly as possible, is being devoted to various purposes, in some of which the Scotch have very little interest, and to the first of which the great majority are absolutely opposed. We have heard from the hon. Member for Aberdeen how that will maim and render almost nugatory the concession which is being made. I have here the figures of the proportion of Scotch children who attend school during the various ages. Out of 98,000 children between the ages of 6 and 7, 72,000 attend school; out of 95,000 between 7 and 8, 83,000 attend school; out of 92,000 between 8 and 9, 83,000 attend school. The same proportion holds in the case of children between 9 and 10, 10 and 11, and 11 and 12. But does any one in these advanced days of education say that education should stop at 12? And yet we find that even now out of 85,000 children between 12 and 13, only 57,000 attend school; and out of 84,000 between 13 and 14 only 31,000 attend school. That is the normal and natural drop at present. Just imagine how that will be increased when the fees are paid up to the Third Standard; that is, during the time that the schools are full, but when fees are exacted at a time when parents are only too willing to take their children away. This enormous difficulty and danger to education in the future might largely be removed if the Government would accede to the almost unanimous wish of the Scotch Members, and strike out the three first items in this 19th clause, beginning with the one which we are are now contesting. In special districts this scheme of the Government, as it at present stands, will raise the greatest difficulties. Take the great city, one district of which I have the honour to represent. Glasgow has a School Board which, perhaps, is second to none of the great educational machines of the country. That School Board, writing most deliberately and with a full knowledge of the subject, represents to the Government and to Parliament that while under this scheme they will obtain £17,000 a year they will sacrifice £22,000 a year; so that in order that you may do this worse than useless operation of giving £30,000 to certain districts, you condemn Glasgow, and, in proportion, other places situated like Glasgow with a perpetual fine of £5,000 a year. I would be the very last person to wish to snub the Highland people. The hon. Member for St. Rollox admirably put before the Committee the shape in which we ought to assist the Highlands if we intend to assist them, and I must beg the attention of the Committee to this fact—that if you accept the Amendment of the hon. Member for Aberdeen, you will assist in the very best and just shape those parts of the Highlands which must be assisted, and assist them exactly in proportion as they suffer. There is a great deal to be said about increasing the poor rate in connection with the agrarian difficulties of the Highlands; but the immense school rate has grown up, in consequence of circumstances for which no one is to blame, but on account of the lamentable circumstances in which the great bulk of the population are placed. Taking four parishes in the Highlands, I find that the average attendance at schools under the School Boards is only half of what it ought to be, and that of £190 that ought to be paid in fees the sum of £5 1s. was actually paid. Now, here you have the causes of educational distress, and on the Motion of the hon. Member for Aberdeen you have the means of relieving it. If you accept the Amendment of my hon. Friend then you will have money enough to remit the whole of the fees, for I am afraid these poor people do not carry on the education of their children to the higher standards, and this addition to the £100,000 will probably fulfil all demands for the remission of fees both in the Highlands and in the Lowlands. I am glad to think that the Representatives of the Highlands themselves repudiate the idea of being put in the invidious position of being the cause of the denial of free education to their countrymen; they do not wish to have this subsidy at the expense of this boon to the whole of Scotland; they do not wish to have it thrown in their teeth that it was owing to the Highland counties that this great boon so earnestly desired was denied to the whole of Scotland.

THE LORD ADVOCATE (Mr. J. P. B. ROBERTSON, Bute): Let me recall the Committee to the precise question

before us. The proposal of the hon. and learned Member for Aberdeen is to eliminate the provision of £30,000 for the Highlands, and yet with the utmost frankness he has declared that his primary object is to pick up items that will supply the required funds for providing what he calls free education for the whole of Scotland. Of course, the Committee will understand the Amendment is part of the scheme for securing free education, and the hon. and learned Member begins by depriving the ratepayers of the relief provided for them in this part of the Bill. The hon. and learned Gentleman has so high an opinion of the value of freeing education that he will make this sacrifice of the relief to local taxation. In the first place, I invite the consideration of the Committee to the question whether it considers itself to be under some obligation to free all the standards in the Scotch schools—to that I maintain a negative—and, secondly, whether the £30,000 for the Highlands and Islands is, on its own merits, so bad a provision that it ought to be rejected. I would like to ask whether any Party in the House, least of all the Government, is in any way committed to the theory that education must be free in Scotland? To this I say, most certainly not. It has been well urged by my hon. Friend the Member for West Renfrewshire there is no such compelling sense of duty. Before we advance further, I should like to remind the Committee how very important it is that we should not yield to any sentiments, however generously expressed, however liberal in views, as stated by the hon. Member for Aberdeen. We must adhere to our duty in the distribution of this money, and we have primary obligations to the ratepayers which we must meet in the sense of being just before we are generous. Local taxation, which has been exceedingly harsh and oppressive, has fallen, and must necessarily fall upon every householder in the community, but school fees do not fall upon the whole of the ratepayers. It is all very well to lavish eulogies upon a Liberal policy in the matter of free education, but we must recognize the duties that belong to us by seeing that we give benefits arising from public money equally to all who have contributed to it. I am bound to say I think the Committee is under an obligation to restrain those generous and liberal sympathies, and to adhere to the policy that has been followed for a long course of years of devoting grants in aid of local burdens of ratepayers. The hon. Member, with reference to a most legitimate object, has avowed at the outset his purpose in making this attack on the clause.

MR. HUNTER: I may explain that I did refer to the rates, but my objection is to the deduction of this £30,000 from the Probate Duty when it should be provided from Imperial Funds.

MR. J. P. B. ROBERTSON: Yes, I think the Committee will understand the object of the hon. Members for Aberdeen is to enter upon a predatory expedition against the ratepayers in the interests of the parents who pay school fees. He makes his attack in detail, and hopes to get the support of the enemies of this grant on this occasion, though he may not keep their support hereafter for his scheme of free education; but I desire to impress upon my hon. Friends on both sides of the House that the Government are not proposing any general scheme of free education as a duty upon the State. We are merely applying moneys available for Scotch local purposes to an object which is found to be most congenial to the wishes of the Scotch ratepayers. I protest against the Motion that this is a case in which the Government are proposing to found this £30,000 for districts on the ground of their poverty alone. If that were so there would be much to be said for and against the proposal to take the relief from Imperial Funds. It may be said that, where a community is poor to that extent that it is a danger or a special burden to the body politic, relief should come from Imperial sources. But we have not to deal with a position of that kind. We find that in the distribution of the money provided out of the Probate Duty and the Excise Duty there arises a special anomaly regarding the Highlands and Islands of Scotland, and the object of the Government is to supply out of those moneys a provision which should meet and supplant the grants hitherto made out of moneys hitherto annually voted by Parliament. An injustice is done in the case of the Highland counties, and the only way to

redress that is to give them a bonus such as is represented in this grant. It is said that we are going to put this money into the pockets of the landlords. That is not the fact. We merely put it into the pockets of the landlords if and in so far as the lordlords pay the rates. Would the Government be justified in adopting a method of appropriation which would land the money in the pockets of anybody except those who pay rates—those who run the machine of Local Government? If the crofters choose to pay their share of the local burdens, the grant now to be made will flow into their pockets as well as into those of other people who pay rates. I am bound to say I cannot but be surprised that the hon. Member, who usually speaks with so much intelligence and candour, should over and over again, in entire disregard of the answer which over and over again has been rendered, ignore the fact that in these Highland districts the pressure on the ratepayers is exceptionally heavy, and those against whom these stale denunciations are launched suffer as much as any other class. I have studiously abstained from discussing the question whether the money should be granted in aid of the school fees in the higher or in the lower standards, because it would confuse the Debate to mix it up with the other two questions, which were raised by the hon. Member for Aberdeen, and with which I have dealt.

*Mr. CAMPBELL-BANNERMAN (Stirling, &c.): The right hon. Gentleman has wisely narrowed the scope of the present discussion; the point as to the particular form in which relief to school fees should be given will be raised later. My hon. and learned Friend, in his comprehensive and instructive speech in moving the Amendment, did cover nearly the whole ground, as we might expect from him who has given so much attention to this subject. The object of my hon. and learned Friend is twofold—to relieve his countrymen from an oppressive burden and to promote the interests of education; and he does not find the second of these objects secured by the proposal of the Government, however much the first may be. The Lord Advocate is, no doubt, anxious to have the Committee believe that the Government are not in favour of free education. The truth is, the Government have offered a benefit, and they are anxious to increase its value; but there sits behind the Front Ministerial Bench a row of Gentlemen—I do not wish to be offensive in calling them wolves—who are waiting to pounce down from the English fold and to gobble up the little Scotch ewe lamb. But we will deal with those Gentlemen when they make their attack. The presence and influence of the hon. Members in question, however, has had such an effect upon the Lord Advocate that he is most anxious to tell the Committee that he does not accept the idea of free education. The fact as represented by the Lord Advocate would seem to be that he has gone about seeking how he could employ this money, and, as a happy thought, it occurs to him, "Let us abolish these school fees." Well, I do not think the Government will be able to stop there. Although the right hon. Gentleman makes a comparison between the relief he proposes to afford and that of the hon. Member for Aberdeen, and points out how he desires to relieve the great body of Scotch ratepayers, I think he must bear in mind that those who are most keen on the subject are, perhaps, those best qualified to express the minds of the Scotch ratepayers on the matter. This question, though it lies at the root of the matter, has been interwoven with another, because, as the first step towards the accomplishment of his ultimate object, my hon. and learned Friend proposes to withdraw the proposal to grant £30,000 to the relief of Highland rates. Now, we have had a great deal of light thrown to-night on the nature of this grant of £30,000. For my own part, until I heard what has been said to-night, I was rather in of favour this grant; but the hon. Member for Inverness (Mr. Mackintosh) was the first person to open my eyes to the nature of the grant, and I must say that I never heard a more extraordinary argument than that used by the hon. Member for Inverness, developed since with much fervour and ability by the hon. Member for St. Rollox (Mr. Caldwell), who unfortunately spoke when few Members were in the House, and I may perhaps, therefore, repeat some of the information he gave us. Let the Committee remember that this grant of

£30,000 was given in aid of certain parts of the Highlands which, we were told, were in a deplorable condition, where the poor rate had reached an almost fabulous amount, and exceptional means of relief were required. Here we have the hon. Member for Inverness coming forward and saying that in the parish of Inverness, where he resides, this grant has had most most beneficial effects, and that £1,600 has been spent there out of the whole £30,000. Well, on looking at the return, we discover that in the parish of Inverness the rate stands only at 1s. 4d. in the £1. The whole of the parishes of Invernessshire receive £5,000, and of that sum this parish of Inverness, where there is really no necessity for relief at all, receives no less than £1,600. Then the hon. Member for the St. Rollox Division of Glasgow quoted the case of Dunoon, a large and flourishing watering-place in Argyllshire, which, with a total poor rate of 5½d. in the £1, has received £500, and I have found for myself another instance worth quoting in the case of Campbelltown. This, again, is a prosperous and flourishing locality, and with a total rate of 11¼d. it has received £610, an entire misappropriation of the money. The Lord Advocate says the money is not given on the ground of poverty alone, but—unless I am very much mistaken—it was on the ground of poverty that Parliament was induced to grant it. With great ingenuity the Lord Advocate seeks to make out that this is a bonus given to these counties because by the substitution of the Excise duties for the present Parliamentary grants they lose heavily in comparison with other counties. But is that so? I have not had the opportunity of looking closely into the matter; but I have taken the first two counties on the list, and I find with regard to Aberdeenshire that it is losing, through not receiving the Parliamentary grant it used to receive, £19,612. That is the loss to Aberdeenshire, which has to bear the whole burden of its own misfortunes. In the case of Argyllshire, which receives this special assistance, the loss has been £9,482.

THE PRESIDENT OF THE LOCAL GOVERNMENT BOARD (Mr. RITCHIE, Tower Hamlets, St. George's): How does the hon. Gentleman arrive at those figures?

*MR. CAMPBELL-BANNERMAN: From the Return as to License Duties, Probate Duty grant, and Parliamentary grants dealt with in this Bill. Let the Committee mark the comparsion between the two figures I have quoted. One would expect, from the argument of the Lord Advocate, the figures as to the Excise Duties, which are to be given in substitution, to be widely different from this proportion; but in Aberdeenshire the licenses for the sale of intoxicating liquors amounted to £7,811, and in Argyllshire to £3,400, which is not far from the same proportion.

MR. RITCHIE: In order to draw a proper comparison you must take the grants that are discontinued and the License Duties given in lieu of grants in both counties. The hon. Member will find that in Aberdeenshire the total amount of grants discontinued was £19,000, and the amount of License Duty to be received is £19,800, leaving a balance in favour of licenses, whereas in Argyllshire the amount discontinued was £9,500, and the amount of licenses to be given in lieu is £8,600.

*MR. CAMPBELL-BANNERMAN Then Argyllshire, on account of the difference between £9,400 and £8,600, is to receive this large eleemosynary contribution to assist it. I venture to say that no ground has been shown in these figures to justify the distribution of this £30,000. The Lord Advocate regards with great satisfaction the fact that the bulk of this money will go into the pockets of the landlords. The landlords no doubt pay half the rates but we have been accustomed to look on this—and it has been represented to us and the world generally—as being a contribution in aid of special distress; and if the landlords in the Highlands and Islands are in any condition of special distress, it is largely owing to their own misfortune or misconduct in the management of their estates in past years. The rates they have to pay they have succeeded to with their property, and we are not at all disposed to regard the handing over of this money to the landlords of the Highlands and the Western Islands as a proper appropriation of the money. I must say I think those hon. Gentlemen who repre-

ent these counties deserve some thanks for standing out against what they consider to be an improper employment of the money, even though its distribution will be of some benefit to their own constituents. But there is the further point, that although we should not object to the £30,000 being spent in proper relief, we do not see that any argument has been advanced to show that it should be done at the cost of all other parts of Scotland. If relief of any special sort is due to any part of Scotland let it be given at the expense of the Imperial taxpayer as it has been our habit to give it in other cases. How would English Members — some of whom are here watching against this policy of free education for Scotland—like it if they were told that out of the Probate Duty paid to England some £260,000 or £270,000 was to be given for the relief of exceptional distress, say, in Wales? So far as this money is given to the Highlands and Islands it is taken from the other counties. I trust that this proposal, having been supported as it has in the most candid and straightforward way by Members who do not usually act with my immediate friends, will receive more favourable consideration at the hands of the Government than has yet been accorded to it.

*Mr. WALLACE (Edinburgh E.): I must say one word on the ingenious speech of the Lord Advocate. He has failed to draw the distinction between a State grant given in relief of or assistance to the ratepayers and a State grant given in compensation of parents who are by law compelled to educate their children. It seemed to me that his speech was very much an endeavour to refute the popular proverb that we must be just before we are generous. A State grant in aid of ratepayers seems to me to be a gift —an act of generosity on the part of the State. The Lord Advocate said that the assistance ought to go to the people who are running the machine; but I would ask in whose interests are these people running the machine? It is only in their own interest and for their own benefit. When people pay rates they do not give them away for nothing. They pay them for something in return, and they receive a return which they consider worth the money. Therefore, if they get this gift from the State it is so much put into their pockets for nothing; but when you turn to the case of compulsory education by the State it is a different matter. A parent who is educating his children under a compulsory law is making a sacrifice. He is losing the services of his children, and he acts not in his own interest, but in the interest of the State. He is compelled to make the sacrifice by the State in the interest of the community, and accordingly, when a grant is made to him to save him from paying fees which he is obliged to pay by compulsory law, he is simply receiving compensation for the sacrifice the State has required him to make. Accordingly, on this general principle, I feel myself totally unconvinced by the arguments the Lord Advocate has advanced. The Lord Advocate himself recognized this principle when he introduced the measure, and he recognized in Scotland also that the claim was different from the nature of the claim in England. In England, the first claim, so far as the popular demand went, was, he said, for relief in respect of the ratepayer, whilst the claim in Scotland was for relief in respect of school fees. It seems impossible to me to put the two demands on the same footing; and I think justice demands that we should give full compensation in the matter of school fees, before we make a present to the ratepayers.

Sir G. CAMPBELL: I trust the House will understand this matter before we go to a Division. The issue is a narrow one—whether the money for the relief of the Highlands should come from an Imperial Fund, or from the Lowlands of Scotland? That issue has been somewhat obscured in the Debate which has taken place. It is much to be regretted that the Chancellor of the Exchequer has not been present to take part in the discussion, and that he should have left the Lord Advocate to exercise his forensic arguments in making the best of a bad case. Not a shred of argument has been advanced to show why this money should be advanced by the Lowlands; but, on the other hand, scandalous abuses have been pointed out in the distribution of this £30,000. Some of the places selected for relief are amongst the richest districts in Scotland.

Mr. CALDWELL: I would reply to one observation of the Lord Advocate.

His contention was that the sums given to these Highland parishes were given to place those parishes in an equal position with other parishes of Scotland. Well, the case of Dunoon shows the entire fallacy of that contention, the local rate there being only 5½d. in the £1, and £500 having been given in aid of the local rates. In addition to this £500 Dunoon had received £380 in other grants. The thing is monstrous, yet no explanation has been given by the Lord Advocate. [*A laugh.*] It is all very well for him to sit there and laugh; but these things will be brought before the Scotch people. Take, again, the parish of Campsie, of the Parochial Board of which I am Chairman. There the total rates are £1,349, or 1s. 1d. in the £1, and the parish has received out of the £30,000 £489. And people wonder how it is that the Scotch Members are not in touch with the Government. Why, they bring in English Members to mow us down, so to speak, when we endeavour to resist these acts of injustice. But this matter will not rest where it is, for this money, if it is allocated to Scotland, must be allocated on a just principle.

MR. HUNTER: The Lord Advocate started a new argument when he said that owing to the distribution of the Licence Duties there would be a deficiency in some of the counties. Well, I have looked up the subject, and I find that the deficiency will be £8,000 over the whole of the Highland counties, and how that can justify a contribution of £30,000, I think it is difficult to understand. It is said I have spoken rather unfairly of the claims of the Highlands. I do not think so. I adhere to everything I have said; but I am quite prepared to admit that something should be done to relieve the Highland parishes of the debt they have contracted for school buildings, recognizing that the expenditure falls more heavily per head on sparsely populated districts than on others.

The Committee divided:—Ayes 154; Noes 141.—(Div. List, No. 191.)

DR. CLARK (Caithness): I somewhat reluctantly consented last year to the passing of the clause relating to the money to be used for the benefit of the crofters in the Highlands and Islands. I consented because I thought the distress in those districts had been caused by the action of this House. But, Mr. Courtney, when I saw the Return to which my hon. Friend the Member for St. Rollox has called attention, and when I saw how the money had been allocated by the Secretary for Scotland, I felt very indignant, and considered that the Government had got the Bill under false pretences. Now, I heard the reason given to-night by the Lord Advocate, and in order to test it I will take a typical Lowland and a typical Highland parish, and you will see how much weight there is in it. I take the parish of Inverness, where the hon. Member for that constituency has had a considerable reduction of the rate on his property, and I take the parish of Kilmarnock, in Ayrshire. I find Kilmarnock has lost £1,370, and will gain by licences £2,070—a net gain of £709. Inverness parish will lose £1,469, and gain £2,246—a net gain of £777. Inverness parish, therefore, will not lose one single farthing, but will gain nearly £2,400. Inverness is a town of middle-class people—it is, of its kind, the most prosperous town of Scotland. As to Dunoon, seven-eighths of its population consists of retired Glasgow, Paisley, or Greenock merchants. They have no poverty, and hence they have a low rate. The money, I say, has been obtained upon false pretences, and if you wish to ameliorate the condition of the people of Scotland you will apply it differently, and instead of using it for the landowners and for the large farmers you will limit it on the lines of the Amendment which I am about to move. My hon. Friend on the other side argued as if poverty could only be found on one side of the Clyde; but there is as much poverty round the Mull of Galloway as round the Mull of Cantire. In fact, there is more poverty in the parish of Wigtonshire than in Argyllshire. Now, we have the Lord Advocate defending a very much abused class—namely, the sporting tenants and big farmers. How on earth have the sporting tenants suffered I should like to know? Ingenious and clever as the right hon. Gentleman is, I think it will be very difficult for him to prove that sporting tenants, who spend thousands on sporting for amusement, have suffered by heavy taxation. The graziers and large farmers in the Highlands have suffered, it is true; but they have not suffered

any more than the graziers and farmers in the South of Scotland. It is true that the large farmers in the North of Scotland have been suffering, because the land is fast going back to a state of nature. They cannot send their 6,000 or 7,000 sheep to he runs as they used to do; they cannot send more than 3,000 or 4,000; and, labo ur and capital being now withdrawn, the condition of the land is going back until, instead of good grass, it produces nothing but heather and rushes, and other growths that have taken the place of the grass. The men whom the present occupiers have replaced have gone across the Atlantic and the Pacific, and are sending home produce which makes it impossible for the land they have left to pay. If my Amendment were carried, instead of throwing away money on the Highland landlords, who have suffered no more than those of the Lowlands, instead of giving the Highland landlords an unjust privilege and monopoly, the House would be doing something to prevent what may yet prove a serious danger to the Highlands of Scotland. My proposition is that the amount the Government propose to give in relief of local taxation shall only be given for the benefit of the cottars and crofters. The large farmers are capitalists, and can look out for themselves; and the sporting tenants go to the Highlands for their own amusement and because they have plenty of money; but, of course, they have a good deal of interest in this question, inasmuch as the grant proposed by the Government will be in reduction of their rates. Neither of these classes deserve this unnecessary generosity, and the result of what is about to be done will be this—that while you have been sending a Crofters' Commission to reduce the unfair rents, you are now offering the landlords a reduction of their rates and 50 per cent more. This being so, it must be a good thing to be a Highland landlord. If, however, my Amendment be accepted, Scotland would still be the recipient of so much money for the benefit of a poor and deserving class; and if that of the hon. Member for Sutherlandshire (Mr. Sutherland) were adopted, the money would be granted to the County Councils to carry out much needed improvements in the Highlands. It should be remembered that the Highlands are peculiarly situated, and are unable to get at anything tending to the development of their industries, unless they are able to offer substantial guarantees. For instance, the Postmaster General will afford them no facilities unless guarantees are forthcoming; in point of fact, it is almost impossible to get a telegraph or a post office in some parts of the Highlands, without a guarantee that there shall be no loss to the Post Office Department. We are, furthermore, in need of light railways for the development of our fisheries, and piers and harbours to prevent our fishermen from being drowned, as hundreds of them are, very frequently, in sight of land. A few hundreds of pounds judiciously expended would be the means of saving hundreds of lives; and if the Government will give the money asked for they may largely aid in relieving the condition of many over-populated districts. Of course, if it is intended to assist either in migration or emigration in or from the Highlands, money must be expended for the purpose; but if you do not intend so to employ the money, we shall then know that the Government have no intention to benefit the crofters and cottars of the Highlands. As far as I can see, all the Government want to do is to benefit the big farmers by reducing their rents, and to put so much a year in the pockets of the landlords through the reduction of the rates. I do not propose to say anything against the Highland landlords. Some of them have behaved as reasonably as we could expect landlords to behave.

An Hon. Member: Oh, oh!

Dr. CLARK: Yes; as reasonably as we could expect landlords to behave. I do not say that Highland landlords are any worse than other landlords, or that they are guilty of the rack-renting which is so much denounced, and which I think is not so much due to them as to the competition which has taken place for the land, and which has taken the best portion of it away from the people and driven them to the sea-shore and other localities, where there is nothing but the worst description of land. I am not blaming the men of the present day for the sins of their forefathers; but I do not see why the existing class of landlords and large tenants should be advantaged in the way proposed by the Government. The Highland land-

lords are no more deserving than the Lowland landlords—it is probable that the landlords of both Highlands and Lowlands are about on a par—and I do not see why we should be asked to rob Peter in order to pay Paul by giving a special grant to the Highland landlords, to the detriment of those in the Lowlands. Probably the Government will refuse to accept my Amendment; but if they can see their way to its adoption, I think they would find things would be much better for them; for in that case there might be some defence of their position—a defence which they certainly require, considering the small majority by which they succeeded in the recent Division. Surely they might make some compromise in this matter. I voted against the money going to the landlords because I thought the people of the Highlands would be more benefited if the money were spent in the way suggested by the hon. Member for North Aberdeen (Mr. Hunter). According to the statistics of the Royal Commission it is my belief that of the £30,000 it is proposed to give for the relief of local taxation, £15,000 would go direct to the landlords, £11,000 to the sporting tenants and large farmers, and only about £4,000 would go to the crofters and cottars. Even where this latter class is paying only 1d. per week in school fees, they would gain more by having that payment abolished than they would gain by the proposed reduction of local rates. In conclusion, I beg to move the Amendment I have placed on the Paper.

Amendment proposed, page 10, line 12, to leave out the words "local taxation," in order to insert the words "the crofters and cottars."—(*Dr. Clark.*)

Question proposed, "That the words 'local taxation' stand part of the Clause."

MR. J. P. B. ROBERTSON: I will not attempt to follow the hon. Gentleman through the long list of accusations he has thought proper to make against those who bear the burden of local taxation and who discharge the duties to which he has referred; but I will express the hope that the Committee will adhere to the principle of applying the money it is proposed to grant to the relief of local taxation. I must strongly deprecate the attempt to divert the attention of the Committee from the main object we have in view, which is the relief of local taxation, and to fix it on the vague purpose of giving a dole to one particular class—namely, the crofters and cottars. I am unable to discover the slightest ground on which such a proposal can be argued. I can understand the feelings that may be entertained towards that class; but I hold it absolutely indefensible to disregard a principle such as has been laid down for the purpose of advantaging one particular section of the community. The hon. Gentleman has accused me of having misrepresented the true state of the facts in reference to what he called Inverness. I did not say one syllable about the comparative receipts of Inverness as between the present grants and the local duties of the future. I did say something about the county including Inverness, and that at present the grants, in the case of Inverness, were £8,963, while the local duties would only be £6,741, leaving a large deficit. But because the county and parish bear the same name the hon. Member attempted to fix on me a misrepresentation. I can only reply that those are not my methods. I will now pass from this subject. Various remarks have been made, and certain anomalies have been pointed out, as to the receipts of particular parts of counties which are to enjoy the proposed advantages; but I would point out the sub-section under consideration is one that gives the fullest power to the Secretary for Scotland, as it proposes to give—

"The sum of £30,000 for the relief of local taxation in the Highlands and Islands of Scotland, in such proportion and manner as may be from time to time directed by the Secretary for Scotland."

Now, Sir, my noble Friend will draw up a scheme which will be the subject of very careful scrutiny. Observations have been made which will probably direct attention to anomalies that are susceptible of rectification. Some parishes, from their affluence and other circumstances, need not receive so large a share as at present falls to their lot, and it is the object of our clause to enable rectification and re-consideration of the scheme. On this subject I have no hesitation in saying that my noble Friend will give consideration to any suggestions that may be made

It will, undoubtedly, be necessary to reconsider the question of the requirements of certain parishes, and the point may be raised whether the whole amount of the proposed grant is required to meet the exigencies of the district. The primary point is, however, whether or not it may be better allocated than as at present proposed, and upon that point I will engage there shall be careful consideration.

*Mr. CAMPBELL-BANNERMAN: Then are we to take it that before we arrive at Clause 23 the Government will consider Sub-section 1 of that clause, and come to a decision whether the £30,000 is required, or whether it shall be appropriated in a somewhat different way?

Mr. J. P. B. ROBERTSON: The first question will be whether there could be a better apportionment of the £30,000 in the prescribed area, and the second whether so large a sum as £30,000 is required. I do not think we could give a final decision on these points before the Report stage is reached.

*Dr. M'DONALD (Ross and Cromarty): I fail to see how the speech of the right hon. Gentleman constitutes an answer to my hon. Friend's Amendment. I do not think it touched upon the real point raised—that the money should be given to the crofters and cottars in the Highlands. I went into the Lobby with the Government on the last Division, because I wanted to keep this money for the Highlanders. I entirely disagree with the money being taken from the rest of Scotland; but the Highlanders are poor, and as the money was offered to us we could not refuse the bait. I think that after all the Highland people will get very little of the amount; the grant seems to me to be made by the Government for the benefit of Highland landlords, to recoup them the losses they have sustained through the action of the Crofters Commission. I happened to look the other day at some of the most recent decisions of that Commission. I find the reductions of rent and remissions of arrears, if capitalized, would represent a donation of £30 to every crofter whose case has been dealt with; and if a landlord who takes £30 from every small tenant on his estate is not a bad landlord, I do not know what is a bad landlord. Now, we want this grant for the people of the Highlands, and not for the landlords; and if the Government do not give way on this Amendment, it seems to me their conduct will be open to the assumption that the grant is intended as a sop to the landlords for the losses they have incurred by the action of a Commission appointed by the Government to revise the rents of their tenants.

Dr. CAMERON (Glasgow, College): So far as free education is concerned, the crofting people of the Highlands will practically derive no benefit from it. The entire subsidy in favour of free education will go into the pockets of the ratepayers, of whom the landlords form by far the most considerable portion. In 1881 I brought in a Bill to permit free education being given in Scotland, and we had a Second Reading defeat on it. But in connection with that Bill, I obtained a Return showing the amount of school fees in different districts, and the rateable value of those districts. That Return showed that, in a great number of the Highland parishes, the school fees were almost nothing. In one parish in which a penny in the £1 produced £21 15s. 7d., the school fees in the year ending June, 1880, were only 13s.; in Barra, another Highland district, the amount of school fees received were only £1 5s. 5d., and that sum represents the entire relief that will be gained by that district by the remission of school fees. In a third district——

The CHAIRMAN: Order, order! I do not see how this is appropriate to the Amendment.

Dr. CAMERON: I am dealing with the abolition of fees, and endeavouring to show that the remission will be merely a reduction of the education rate. Your theory is that you are going to give a great boon to the working population in the ratepaying district, and I desire to show that the benefit will not be reaped by the crofters and the cottars. The Return to which I have referred showed that in 182 out of 930 school districts in Scotland the total fees not paid by the Parochial Boards were less than the produce of a penny rate, and therefore the poorer population of a great number of parishes in the Highlands will not really be benefited. But there is another matter to which, I think, the

House should have special regard, and that is the absolute discretion proposed to be placed in the hands of the Secretary for Scotland. If it were a simple matter of the distribution of a temporary grant, I should not object to it; but the same phraseology is followed in subsequent sections of the Bill, which deal with the permanent disposal of the money, and we are asked to grant this £30,000 to be distributed at the discretion of the Secretary for Scotland. I object to giving a blank cheque to the Secretary for Scotland. It has been shown conclusively that the distribution, according to the discretion of the Secretary for Scotland, has been highly unsatisfactory. In fact, it has been made on a perfectly unintelligible basis, and I hold that we ought to have in the Bill a direction how the money voted shall be applied.

MR. CALDWELL: The question raised by this Amendment is whether this £30,000 shall be given to the Highlands, or whether it shall be left at the disposal of the Secretary for Scotland. I should like to point out the case of two towns like Inverness and Kilmarnock. While the population of Inverness is 22,000 and of Kilmarnock 26,000, the assessment of Inverness £5,690, of Kilmarnock £4,832, and the rate in Inverness 1s. 4d., and in Kilmarnock 1s. 2d., the grants in aid to Inverness were £1,628, and to Kilmarnock £920. Besides the ordinary grant Inverness also got a special grant, which brought up the amount of the grant to Inverness to £3,257 on a total assessment of £5,690. The question, therefore, is whether we are to give the Secretary for Scotland a discretion which may be exercised in the way I have pointed out.

DR. CLARK: I am sorry that the Lord Advocate should have taken offence at my remarks. The right hon. Gentleman was defending the grant to the town of Inverness on the ground that it lost by the change. I wished to point out how my own county was also losing. I beg to withdraw any remarks that may have given offence.

The Committee divided:—Ayes 173; Noes 109.—(Div. List, No. 192.)

It being after midnight, the Chairman left the Chair to make his Report to the House.

Committee report Progress; to sit again upon Thursday.

SUPPLY [18th June] REPORT.

Order read, for Further Consideration of Postponed Resolution:—

"That a sum, not exceeding £11,400, be granted to Her Majesty, to defray the Expense of Martial Law, including the cost of Naval Prisons at Home and Abroad, &c. which will come in course of payment during the year ending on the 31st day of March 1890."

THE FIRST LORD OF THE ADMIRALTY (Lord GEORGE HAMILTON, (Middlesex, Ealing): The House will remember that this Resolution was postponed because the hon. Member for Northampton and the hon. Member for Coventry wished to make certain observations on the case of the boy Henry Thompson; and as the hon. Member for Northampton did not wish to express any opinion on the case so long as it was awaiting judicial decision, I undertook to postpone the consideration of the Resolution until the Court of Law had dealt with the issue. I think that if I now make a short statement in relation to this very remarkable case it will tend to shorten the observations of the hon. Member for Northampton. The facts are very peculiar. Her Majesty's ship *Calliope* was in New South Wales in the month of November last year, and in the first week of that month two men deserted from the vessel, one of them being a young seaman named Floyd, 18 years of age, and 5ft. 1in. in height. Details of his desertion were forwarded home, and were in the hands of the police in this country in the month of January. In the first week of the month of December a young man, by name Henry Thompson, ran away from his parents who were living at Coventry, and wandered about the big towns in the Midland Counties endeavouring to enlist in the Militia. He was early in January in a state of great destitution, and he absconded with some money belonging to a man in whose house he was lodging, and who had taken him in out of pity. A warrant for his arrest was issued at the instance of the wife of the man whose money had been stolen, and the police were on the look out for him. This is the governing consideration in what happened subsequently. The boy went on to Derby and lodged there at a

public-house, the owner of which noticed that he was in a state of great nervousness and apprehension. The boy told him, with every appearance of truth, that he was a deserter from the Navy; that the seaman with whom he had run away had been taken; and he was hesitating as to what he should do.

*MR. BRADLAUGH (Northampton): I hope the noble Lord will say whether he is stating anything which is outside the affidavit.

LORD G. HAMILTON: The hon. Member must recollect that the affidavit made by Thompson was made in order to set the Court of Queen's Bench in motion to sue out a writ of *habeas corpus*, but it never came under the cognizance of the Court and was in no way used. The only affidavit which came before the Court was one in relation to the particular case affecting the contempt of Court, and the statements I am about to make are statements that can be proved. A day or two afterwards Thompson enlisted in the Militia. The publican met a policeman to whom he narrated these facts, and on referring to the *Police Gazette* the policeman found a description of a deserter which exactly tallied with that of the young man. The policeman arrested the young man, who again said he was a deserter, and asked if his friend had been taken. Before the commanding officer the young man repeated the statement that he was a deserter from Her Majesty's Navy. In the opinion of those who investigated the case there was no doubt that the young man was a deserter, and he was sent under arrest to Portsmouth. On his way thither he made much the same statement; but when he came before Captain Woodward, of Her Majesty's ship *Duke of Wellington*, he said he was not a deserter, and that his name was Thompson. He gave two addresses, and his denial was made in such a way that it did not carry conviction. On his arm were the letters "W.F.," as Captain Woodward thought, which exactly corresponded with the tattooed marks on the actual deserter. In height he was two inches taller than the deserter had been the year previous when he was last measured; but Captain Woodward thought that as boys grow it was not improbable he had grown two inches during the year. After investigating the case Captain Woodward arrived at the conclusion that he was a deserter, and sentenced him to 90 days' imprisonment with hard labour. On the way to the gaol he again said he was a deserter from Her Majesty's ship *Belleisle*. At the gaol he said he was not a deserter. The Governor remanded him, and he then ascertained that the prisoner had informed the escort on the way from Portsmouth that he was a deserter. The Governor had him up again, and taxed him with the fact that he had told the escort that he was a deserter, and that his name was Floyd. He was punished for making a false statement. During the whole time he was in prison, neither to the Chaplain nor to the Visiting Justices did he say that he was other than a deserter from Her Majesty's ship *Calliope*. He served his term of imprisonment and went back to the *Duke of Wellington*. He then said he had not been a deserter. Captain Woodward ordered the boy to be brought before him the next day for the purpose of investigating the case. Captain Woodward telegraphed to the Chief Constable of Coventry, and the reply of the Chief Constable was such as to verify the boy's statement. Further examination was made, and two days afterwards Captain Woodward made a Report to the Commander-in-Chief. The Report was sent to the Admiralty; and six days from the time the boy made this last statement an order was sent from the Admiralty for his release. Therefore, as soon as the error was detected, every possible effort was made to remedy it. A local solicitor interested himself in the case, and Captain Woodward told him all the facts. The solicitor induced the boy to sign two false statements in an affidavit—that he was seven years younger and two inches and a half shorter than was the case. How any solicitor could have induced the boy to make that statement, when it was contrary to the fact, I cannot understand. That affidavit was accompanied by another, in which it was stated that the solicitor had called Captain Woodward's attention to these facts. Two days after the young man's release application was made to the Court of Queen's Bench for a writ of *habeas corpus*. Captain Woodward, on receiving a telegram to this effect, did not at first quite know what was to be

done. Directions were given that the young man was to be delivered up to the Court of Queen's Bench on the Tuesday following. To comply with that the boy had to be kept more or less under restraint, and Admiral Commerell and Captain Woodward thought the best way was not to revoke the orders which had been given. In arriving at that decision Captain Woodward apparently committed a contempt of Court; but there is a good deal to be said for that decision from a common-sense point of view. As soon as I heard what had occurred I asked my right hon. Friend the Secretary of State for War that no delay should occur in delivering up the boy to the Court of Queen's Bench. My right hon. Friend undertook that no delay should occur, and the necessary orders were given; but, in the meantime, further complications had ensued. As soon as Thompson's whereabouts and identity had become known, the police, who had been waiting since January with a warrant in their hands, immediately pounced upon him. I then went to my right hon. Friend the Home Secretary to get possession of the boy; and, so far from there being collusion between the three Departments as has been insinuated, everything has been done which was possible to give effect to the writ of *habeas corpus*, and the whole difficulty arose from the nature of the circumstances which had to be dealt with. Captain Woodward made another technical blunder. On the second day he was required to appear he brought a copy of the writ instead of the writ itself, and the Court declined to take any notice of his presence, although his counsel undertook to have the writ in Court before 4 o'clock, if the Court would sit until then. Ultimately the Judges decided that Captain Woodward had been guilty of contempt of Court in not acting on the telegram, and they fined him £50. There was not the slightest desire or wish on the part of the Admiralty to evade in any way the order made by the Queen's Bench. Several questions have been put to me on the subject of compensation, and I have replied that, in my view, the lad's own conduct having largely contributed to the injury he has suffered, it is not a case for compensation. I do not, however, pretend to be a judge of these matters, and I have, therefore, before coming to a final decision on the matter, referred the question to the Law Officers of the Crown. They have advised that the question of the imprisonment should be considered apart from the antecedents of the boy, and that they think it a case for moderate compensation. Acting on that advice, I will, with the assistance of the Law Officers, look into the case, with a view of assessing the damages to which the boy is entitled. After the accusations which have been made against the Admiralty I think it only right to point out that as soon as the mistake was discovered everything was done to remedy it. With regard to summary proceedings, I will, so far as possible, strengthen the safeguards and precautions against such a mistake occurring in future.

*MR. BRADLAUGH: I have, first of all, to thank the noble Lord for his courtesy in adjourning this Vote from the other evening, when I was too unwell to attend. Having said that, I desire to express my deep regret that the noble Lord has thought it right to introduce into this case matters which he tells us his Law Advisers have advised him ought not to have influenced his judgment. I will not discuss the question whether or not this unfortunate lad committed a felony of 18s., because the Magistrates practically dismissed the charge. I will not discuss the cases connected with the writ of *habeas corpus*, because the High Court of Justice has held that Captain Woodward was in the wrong there, and has inflicted a fine upon him; but I will address myself solely to the grievance which I think it my duty to submit to the House. The grievance is that this young man was tried and sent to gaol for 90 days, without a particle of evidence being taken as to his identity. The lad denied he was the person he was said to be; but Captain Woodward made no inquiry as to the truth of the statement, until the lad had suffered 90 days' imprisonment. A more monstrous case was never submitted to the House. Thompson was arrested as a deserter. It is said by the noble Lord in the instructions furnished to him that Thompson admitted to the police officer he was a deserter. The police officer never ventured to make an affidavit to

that effect. The young man denies that he made the statement, and the evidence is in his favour, because Captain Woodward admits that when the young man was brought before him at first he denied he was a deserter, and that he (Captain Woodward) had the young man shipped in consequence of that denial. So that it is clear the young man if he had been foolish enough to make the statement to the policeman who had everything to gain in the shape of a remand for the arrest of a deserter, did as we find from Captain Woodward's affidavit deny he was a deserter. Captain Woodward's own affidavit states—"The young man denied that he was a deserter, so I had him stripped."

*THE ATTORNEY GENERAL (Sir R. WEBSTER, Isle of Wight): The constable made an affidavit on June 1, which was handed to the young man's representatives.

*MR. BRADLAUGH: That affidavit was not filed a fortnight ago. But, in any case, there is Captain Woodward's sworn statement. Without a scrap of evidence, and in spite of his denial, the young man was sent to gaol for 90 days. He was asked to sign his name in the prison book, and he signed his real name, Thompson. For doing so he was punished, and further punishment was threatened if he signed Thompson again. The noble Lord did not frankly admit that Captain Woodward acted hastily and regret what had happened; but he brought up a statement that the young man had at some time or other stolen 18s., and therefore deserved to be sent to gaol for 90 days. ["Oh."] If not, why was the statement made to influence the House? It is not fair to bring against the lad a charge which the Magistrates investigated and dismissed. The captain admitted that Thompson denied that he was a deserter, and that he gave two addresses before he was sent to gaol. But only after his punishment was over were the police sent to inquire about the genuineness of the addresses given. No doubt the lad was a fool for trying to enlist two or three times; but that is no reason why one of Her Majesty's Ministers should say that he deserved to be sent to gaol for 90 days. It is on the statements of Captain Woodward that I base my claim; and I move to reduce the Vote by £500. I hope the matter will not be treated in a Party spirit, and that the Government will not allow any consideration but that of the unjust punishment inflicted to weigh with them in the question of compensation.

*MR. BALLANTINE (Coventry): I beg to second the Motion. I have interested myself in this case because the parents of this young man have long been settled in the town I have the honour to represent. First, I would point out that there is one salient fact in the case that the young man was serving in the Militia under his own name, so that the authorities had warning from outset of the blunder they were about to commit. The constable who arrested him said that Thompson admitted himself to be Floyd, a deserter from the Navy; but how could Thompson have heard of Floyd unless the name had been suggested to him by the constable? The captain in his affidavit states that he had satisfied himself that Thompson was Floyd. But how? He said he had the lad stripped and found tattoo marks on the left arm agreeing with the description of Floyd, and Thompson prevaricated in giving two addresses. But there was no prevarication, because one address was that at which he had lived with his parents before joining the Militia, and the other was the address to which his parents afterwards moved. With regard to the tattoo marks, it turned out that Thompson was never tattooed at all. The marks on his arm were occasioned by an accident with a loom. The evidence of identity was, in fact, the same as in the burlesque. "Have you got a strawberry mark on your left arm?" "No." "Then you are my long lost brother." But did the captain use due caution. There is not only the difference in age, but also the difference in height. It is absolutely immaterial whether he was shorter or taller than the deserter Floyd. He was arrested because of the resemblance. But when the captain found there was this difference of height, ought he not to have paused? Captain Woodward took no advantage of the two addresses given by the boy, until after his return from imprisonment on 11th of May when he was nevertheless, detained on the *Duke of Wellington*, and

was not released even when the captain had satisfied himself that he was not Floyd. In fact, the boy was kept in detention until the 24th of May, and then sent under arrest to the Militia as though he were a deserter, although taken from the Militia by force. The constable then arrested him for theft; but the opinion which the Magistrate entertained of this charge was shown by the fact that he released the boy in his own recognizances in £10. Mr. Justice Mathew suggested the possibility of vindictive motives in the Admiralty Authorities. The First Lord's statement has only aggravated the injury. No regret has been expressed, no compensation offered, and the only thing done has been to attempt to blacken the boy's character by a vamped up charge of theft.

LORD G. HAMILTON: How vamped up?

*MR. BALLANTINE: I do not mean vamped up by the noble Lord. I speak of this case as indicated by the action of the Judge who tried it and dismissed it. Suppose a German subject had been arrested as a deserter, what would the Government have replied to a protest on the part of the German Government? Would they have said, "True the man is not a deserter, but then he is a 'liar'"? They would, of course, have offered instant compensation and reprimanded the captain of the ship. The First Lord has suggested that Thompson made a false statement. But there is no evidence of that. Mr. Justice Manisty had said that the Court entirely distrusted the instructions given to the Admiralty counsel. If there is falsehood on one side or the other, on which side does the motive lie? On the side of the boy who got nothing but imprisonment, or on the side of those who had imprisoned him, and had a distinct motive in evading consequences of their unlawful act? It is said that the marks "W.F." or "W.T." agreed with the description of Floyd. No doubt Floyd was marked "W.F.," but Thompson could not have been tattooed "W.F.," so two pair of initials were suggested to excuse blunder. This is a matter dependent upon eyesight, and the House will be surprised, as I have said, to learn that the man was never tattooed at all. Where was this story designed? Perhaps in the Constructor's Department; and, as to type, I should suggest the Admiral class. Contrast the case of Thompson with the inquiry lately held on the loss of the *Sultan*. Does anybody suppose that the Duke of Edinburgh and Thompson are equal in the eyes of the law? Two out of the five persons comprising the Court Martial in the *Sultan* case were Captain Woodward and Admiral Commerell, whose judicial capacity had been so admirably shown in the case of Thompson. I shall advise Thompson to wait and see whether a satisfactory offer is made to him, because there is no doubt, after the expressions of judicial opinion in the case, that he will recover substantial damages in an action for false imprisonment.

Amendment proposed, to leave out "£11,400," in order to insert £10,900."—(*Mr. Bradlaugh.*)

Question proposed, "That '£11,400' stand part of the Resolution."

SIR R. WEBSTER: I regret that the hon. and learned Member should have imported into his speech the observations with which he concluded. Sir J. Commerell is well-known in this House, and Captain Woodward's career in the Navy might have spared him from the insinuations that have been made, especially as the inquiry with regard to the *Sultan* has nothing to do with this case. The hon. Member for Northampton and the hon. and learned Member for Coventry appear to think that this House ought to accept as gospel every statement made by this young man Thompson, without any regard to the fact that there was overwhelming evidence that he, at any rate, made a number of deliberate misstatements. The noble Lord did not suggest that the man's imprisonment was justified by his misconduct; but he did suggest that that imprisonment was in no small degree due to the misconduct on his part, and therefore it was necessary to refer to that misconduct. This is not the case of a person who throughout has given a true and consistent account of himself, and who by the misconduct of certain naval officers has been wrongfully imprisoned. The hon. and learned Member for Coventry alluded to the man's parents. Well, we have nothing to do with the respectability of his parents, but

there is this point in regard to his parents—that for some reason or another he never communicated with his parents from the month of December, 1888, when he left home, and they did not know where he was. The next fact in the case is that Thompson told several persons that he was a deserter from the Navy, and actually described to one of them the kit that he had when he deserted; and on January 26 there were no fewer than six persons to whom he stated that he intended to make a clean breast of it, that he joined the Navy under the name of Floyd. Then there was the fact that he gave two addresses, and though this has been explained by the hon. and learned Member, it was not explained at the time. Then there is the all-important fact that he himself admitted he was a deserter from the Navy.

*Mr. BRADLAUGH: At the very moment that he was brought before Captain Woodward he denied that he was a deserter, and gave the two addresses of his parents, but he was sent to gaol for 90 days without any inquiry as to those addresses being made.

*Sir R. WEBSTER: No doubt under ordinary circumstances inquiry would have been made; but in this case there were facts which naturally led to the conclusion that Thompson was not telling the truth. It is so very easy to be wise after the event, and to judge people's conduct by the light of what has now come to our knowledge. It is suggested that the statement that he was Floyd was extorted from the young man after he had been put for three days upon bread and water. That is an entire mistake. He was sent to prison on the 11th of February, and on the very next day the chaplain saw him and asked him a question, in reply to which he said he was William Floyd, and that his training ship had been the *Lion*.

*Mr. BRADLAUGH: The affidavit is clear that when he went to gaol and had to sign the book he signed the name of Thompson, and that he was punished for so doing by being put for three days on bread and water. It was after that that the chaplain saw him.

*Sir R. WEBSTER: I state from the affidavit of the chaplain the answer he gave the chaplain on the 12th February. The different and contradictory statements which he made naturally induced the authorities to think that they could not put confidence in what he said. It is clear that he continued to pass under the name of Floyd, and that on leaving the prison he signed the book in the name of Floyd. What motive he could have had for doing this when he must have known that he could not be punished I am at a loss to imagine. The hon. Member for Coventry stated that there was no tattoo mark on the young man's arm, but that statement has never been made until to-night. It certainly was not contained in the affidavits either of Thompson or his solicitor. On the other hand, it has been specifically stated that his arm was examined, and that there was something tattooed or marked on it which was certainly a "W," and something else that looked liked an "F" or a "T." Then the hon. Member for Coventry said suspicion ought to have been aroused by the fact of Thompson being two inches taller than Floyd; but has not a youth been known to grow two inches in height in ten months? ["Oh."] Well, I myself have known of such a case, and I can give proof of the fact. Now, I do not say that this young man was rightfully imprisoned. From all the circumstances, it is clear that this young man was imprisoned by mistake, and therefore I have advised the First Lord of the Admiralty that there ought to be no attempt at justification of the illegal detention, and that there is a case for reasonable compensation. But the First Lord of the Admiralty would, I think, be neglectful of his duty if he were to shut his eyes altogether to the conduct of the boy, who by his own action to a great extent led to the mistake which caused his imprisonment. Therefore, there is not the least ground for censuring the Government. The House is not now considering whether the strictures of the Court of Queen's Bench were absolutely justified, or whether there was a right return to the writ of *habeas corpus*, but whether there has been any such conduct on the part of the Admiralty as should induce the House to decline to agree to the report of this Vote, and I think the answer which the House will give to that question will be in the negative.

SIR H. DAVEY (Stockton): I am only going to say a few words at this late hour; but I would point out that the Attorney General, in the speech he has just made, has absolutely failed to answer the real gravamen of the charge. The charge against Captain Woodward is that he committed Thompson to prison for 90 days absolutely without any evidence whatever against him. Captain Woodward made no inquiries at either of the addresses which were given until after the boy had been let out of prison. I wish the House to understand that as far as the Attorney General's speech is concerned no answer whatever has been made to the charge that Captain Woodward sent the boy to prison without any evidence whatever as to his identity. So far as I know, Captain Woodward had never seen Floyd, but he chose to assume that the prisoner was Floyd, though the boy denied it, and said he was Thompson. Notwithstanding the boy's statement, Captain Woodward sent him to prison for 90 days; and it is perfectly shocking that an officer, be he a captain in the Navy or not, should have power to send a man to gaol for 90 days with hard labour, whether he has evidence of identity or not. Then as to the order of the Court of Queen's Bench. It is not necessary to have a lawyer at one's elbow to know what is the meaning of an order to bring a person into Court. Yet Captain Woodward did not attend the Court on the first occasion.

LORD G. HAMILTON: I said Captain Woodward had been wrong, owing to a technical mistake in regard to procedure.

SIR H. DAVEY: Captain Woodward did not think fit to attend the Court.

LORD G. HAMILTON: He did.

SIR H. DAVEY: Subsequently he did, but not on that occasion. Altogether, I do not know of a more scandalous case of overbearing officialism.

*MR. STAVELEY HILL (Staffordshire, Kingswinford): There were two remarks in the speech of my hon. and learned Friend who has just sat down which ought to be answered. He states that it was the duty of Captain Woodward to obey a plain order. The communication received by Captain Woodward was a telegram informing him that the Court had been moved to call upon him to show cause why a writ of *habeas corpus* should not issue, and this, to a sailor, not very intelligible information had to be considered side by side with a clear order from his superiors at the Admiralty to send the boy to his regiment. As to evidence, Captain Woodward found that the boy's tattoo marks, age, and other features corresponded with the description given of the man who had deserted. On the 5th of May, 1885, Floyd was 5ft. high, and on the 24th of April, 1888, when he came to man's rating, he had only grown ¾in. Thompson when measured 10 months after that date was 5ft. 2¾in. high. It is said that he could not have grown so much in such a short time. Why, after being 3 months in prison the lad had grown 1¾in. more. It is all very well to be wise after the event; but had Thompson been brought before any Member of the House, he would probably have been treated in the same way as he had been by Captain Woodward.

The House divided:—Ayes 120; Noes 59.—(Div. List, No. 193.)

Resolution agreed to.

GREENWICH HOSPITAL.

Motion made, and Question proposed,

"That the Statement of the Estimated Income and Expenditure of Greenwich Hospital for the year 1889-90, presented to Parliament pursuant to Act, 48 and 49 Vic. c. 42, be approved."—(*Mr. Ashmead-Bartlett.*)

*ADMIRAL MAYNE (Pembroke and Haverfordwest): I wish to ask the Civil Lord of the Admiralty whether he will give us any assurance that the question of the appropriation of some part of this fund to a purpose for which it was never intended will be looked into between this and next year. The Lords of the Admiralty have on several occasions pointed out that they are misappropriating the Greenwich Hospital Fund by using part of it for the purpose of pensioning reserve seamen at the age of 50 instead of at the age of 55. If that object is a proper one at all, money ought to have been provided by Parliament for the purpose, instead of which the amount needed is taken from the Greenwich Hospital Funds, so that those who are entitled to receive those funds have to go short. I hope the Civil Lord will be able to give us some assurance that the money will be de-

voted to its proper purposes in the future.

*Mr. ASHMEAD - BARTLETT (Sheffield, Eccleshall): The hon. and gallant Admiral has correctly stated the views of the present Board of the Admiralty upon this question—namely, that it is most undesirable that the funds of Greenwich Hospital should be applied to the payment of the pensions of seamen who have joined the Naval Reserve. He is no doubt also aware that at least five letters have been addressed during the last ten years by different Boards of Admiralty to the Treasury asking that the misappropriation should be put an end to, and that pensions to the Naval Reserve should be paid out of naval funds. I can only assure the hon. and gallant Gentleman that, so far as I am able to promise, similar representations shall be made on an early occasion to the Treasury, but I cannot say that I am hopeful of being more successful than my predecessors have been.

Question put, and agreed to.

MOTION.

—o—

COINAGE (LIGHT COINS) BILL.

On Motion of Mr. Chancellor of the Exchequer, Bill to amend "The Coinage Act, 1870," as respects Light Gold Coins, ordered to be brought in by Mr. Chancellor of the Exchequer.

Bill presented, and read first time. [Bill 321.]

BUSINESS OF THE HOUSE.

On the Motion for the adjournment of the House,

Mr. JACKSON: I beg to give Notice, on behalf of my right hon. Friend the First Lord of the Treasury, that on Thursday he will move that Government Business have precedence for the remainder of the Session.

House adjourned at twenty-five minutes before Two o'clock.

[APPENDIX.

with him. I never mentioned the fees; I never even thought about them.

MR. A. J. BALFOUR: Well, if we are going to admit that as a kind of motive which is to modify this free theology and this impartial consideration of dogmatic teaching from an impartial standpoint, we, after all, introduce—I will not say a meaner motive, but a much less lofty and creditable motive—than I thought was to actuate those who appointed the professors and those who were to occupy the professors' Chairs. It appears to me that the complexity of the question which the hon. and learned Member has brought forward, and the number of considerations he himself has been compelled to advance in support of his view, is in itself one of the strongest arguments for carrying out the plan which he and his friends were the first to suggest—namely, that of leaving these questions to the Commissioners. They would have opportunities of consulting the opinion of the people of Scotland, of the great ecclesiastical bodies whose interests they were bound to consider, and of the academical interests of the Universities; and I submit that they will be far more qualified to discuss the question and to lay it before Parliament in a form mature for the decision of Parliament than any other tribunal which could possibly be suggested.

THE following is the corrected version of the Speech delivered by the CHIEF SECRETARY for IRELAND (Mr. A. J. BALFOUR) in the course of the Debate on the Second Reading of the Barrow Drainage Bill, &c., to be taken in place of the Report commencing at page 1344 of this volume.

HOUSE OF COMMONS,

Tuesday, 2nd July, 1889.

MR. A. J. BALFOUR: The force of the observations of the hon. Gentleman who has just sat down is somewhat diminished in my eyes by the fact that he plainly announced to us that whether the Bills were good or bad, the fact that he had not been consulted in regard to them was a most sufficient reason for offering them his most relentless opposition. Although the hon. Gentleman professed to rest his objections to the Bill on the arguments of the hon. Member for Sunderland, he was, in one of his chief objections, in direct contradiction with his hon. Friend. Whereas the hon. Member for Sunderland objected to the Bill as being too favourable to the tenants, one of the chief objections of the hon. Member was that the Bills would be disastrous to the tenants. I think that the Mover and Seconder of the Amendment should settle their little differences before they address the House. I agree with the hon. Member for Sunderland on one point. Attention has been called to the wording of the 17th clause, from which it appears that at the end of 40 years, when the annuity ceases to be payable, the improvements lapse to the landlord. That was not our intention in framing the Bill, and if it should turn out that the Bill bears that interpretation, as I acknowledge it seems to do, I shall certainly move an Amendment in Committee to rectify the slip. Our intention is that this should be a tenants' Bill alone, and if, after the tenants have paid up the annuity, the improvements which they have paid for are to go to the landlords, the intentions of the framers will not be carried out. The hon. Gentleman also declared that the Bill was a landlords' rather than a tenants' Bill. I cannot agree with the hon. Member on that point. The hon. Member asked how the Government could assert that these were tenants' Bills, when, according to our own showing, it is our object to improve the position of the tenant, to give him a better holding, and enable him more easily to pay his rent, and therefore improve the position of the landlord. This is surely hypercriticism. If that argument is to be admitted, it is impossible to pass any measure for Ireland which should not be a landlords' Bill. Such criticism would strike at the root of every Bill passed by any Parliament, Irish or English, which had for its object the benefit of the great mass of the tenant population of Ireland. The hon. Gentleman also criticized the alterations the Government made in the original proposals of the Commission. I do not deny that there have been some alterations; but the Government have felt themselves at liberty to depart from the suggestions which have been made. The Commission have been cognizant of every alteration made in the Bill; and, speaking generally, they approve the

course taken, and have been public-spirited enough to say that they will continue their labours so long as they may be necessary for the advantage of the Public Service. The two points on which we have departed from the recommendations of the Commission to which attention has been called are the degree of control given to the county and the financial arrangements embodied in the measure. As regards the first, even under the proposals of the Commission, the plans are not the plans of the locality, but of the Government engineer; so that the difference is one rather of form than of substance. When the Government is called upon to lend part of the money and to give the rest, it may well insist upon having a considerable measure of control in carrying out the works thus made largely at its expense. The hon. Gentleman then pointed out that in the case of the Barrow especially, we had called upon the public to give a very much larger contribution towards the necessary expenses than the Commission recommended. I will explain in two or three sentences to the right hon. Gentleman how this has occurred. The Commission, I think, did not pay sufficient attention to the cost of maintenance. They practically excluded it from their purview; and we had to take into account this very heavy expenditure imposed upon the locality, and to remodel in consequence the financial proposals of the Commission. We also thought that great caution ought to be shown in charging the non-benefited area. If the proposal of the Commissioners had been carried out, the charge upon the non-benefited area would have been very much larger than it is in our proposal. We determined to limit the charge on the non-benefited area to the sum of one penny in the £1, including maintenance. We, therefore, find ourselves in the position of having to charge the non-benefited area less than the Commissioners proposed, and the benefited area more, because we put upon it the cost of maintenance. If, therefore, we had put upon the benefited area all that we took off the non-benefited area, and also put upon it the additional charge for maintenance, we really should not have given any benefit to the particular class we desire especially to benefit. Therefore, we were compelled to ask the Treasury for a larger sum than was originally proposed by the Chancellor. I do not care to go into some of the controversial questions raised by the hon. Gentleman. He really gave the House to understand that we were treating "loyal Ulster" much more favourably than we ventured to treat the "stiff-necked" South. The fairness of this criticism will be appreciated when I remind the House that in the case of the Bann we gave £20,000, while the grant to the Barrow is not less than £215,000. He has told us that, to make improvements in the upper part of the Barrow at the public expense, would necessitate a further public expenditure on the lower part of the Barrow, in order to do away with the flood which the works in the upper part would produce in the lower part of the channel. It is true that whenever you carry off the flood water from the upper part of any river more rapidly than it has hitherto been carried off, you will strain the power of the lower channel to dispose of the flood water. This is not peculiar to Barrow; it is true of every river. No doubt, therefore, it is a very dangerous course to improve the upper part of any river without dealing at the same time with the lower part. And that is why we are prepared to carry out the works over the whole extent of the Barrow. We make our plan a general one, and we hope thereby to make the benefit also general. The hon. Gentleman has criticized the plan of dealing with floods by embankments rather than by deepening the bed of the river basin—a criticism which has been used by several independent engineers. I would point out, in the first place, that the embankment is only part of the scheme, and, as a matter of fact, the deepening of the river is also a part of the scheme, prepared by the Government engineers. But what is of value in the hon. Gentleman's criticism, so far as I am able to form an opinion, is based upon embankments. He says that if we embank the bed of the river we shall be obliged little by little to raise the banks on either side until at last we shall arrive at a condition of things in which the surrounding fields will be lower than the bed of the river. A river with a rapid flow like the Barrow——

Mr. STOREY: It has not a rapid flow.

MR. A. J. BALFOUR: It has quite sufficient for the purpose. And note that one advantage of embankments is that if the river is low you confine it to a narrower channel, and give it a greater dredging power than if it were left to meander in a wide channel. Therefore to widen and deepen the channel, though it may have some advantages, has the accompanying disadvantage that it diminishes the scouring power of the river when the river is either at or below its normal level. That is the belief of the eminent engineer who has had the preparation of these plans. Then the hon. Gentleman told us that the tenants liked the floods, that the floods did good to the land.

MR. STOREY: What I said was that it should be left to the tenants to decide whether the floods did good, or whether it was worth while to prevent them.

MR. A. J. BALFOUR: The hon. Member forgets that if the tenants are really of opinion that the floods do no harm, all they have to do is to reject this Bill. There is one other criticism which I must notice, as I think it is the most serious the hon. Gentleman has made. He asked whether any reasonable return was to be expected for the large outlay we are asking the House to sanction. I frankly admit that a return in the shape of an improvement of the land is not such as to give a large interest on the outlay. If it were, national intervention in this matter would not be called for. It is just because the benefit to the Barrow is not of a magnitude which will give a large commercial profit that I think it really proper for the Government to interpose. But nobody, I think, can judge fairly whether the intervention is proper or not if they confine their attention to the flooded land alone. We think that any consideration of the flooded land alone will justify this outlay; but we entirely deny that the benefits are confined to that area. If the hon. Gentleman has read, as I have not the least doubt he has read, with attention, the Report of the Commissioners, he will see that they attach very great importance to climatic improvement, and to the general improvement of the country. You must, in dealing with these great undertakings, consider something more than the mere commercial return; and in laying down that principle, do not let the hon. Gentleman suppose we are departing from the traditions of our predecessors. The right hon. Gentleman (Sir G. Trevelyan), whom the hon. Gentleman (Mr. Storey) quoted with approval to-night, himself advised the Government of which he was a Member to a proposal of a similar kind. We do not profess to have started upon a new policy. What we do profess to have done, is to have laid before the country a large scheme based upon general principles and thought out in considerable detail. We do believe that, if the House consent to the large expenditure which we undoubtedly ask the taxpayer of this country to incur, we shall be conferring an enormous boon upon our Irish fellow countrymen; and, whether or not it evokes their gratitude to a political Party or political system, it will, at all events, result in the permanent improvement of a country which, I am sure, we all desire sincerely to benefit.

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APPENDIX.

THE following is the corrected version of the Speech delivered by the CHIEF SECRETARY for IRELAND (Mr. A. J. BALFOUR), in the course of the Debate on the Universities (Scotland) Bill, and is to be taken in place of the Report commencing on page 1280 of this volume.

HOUSE OF COMMONS,

Tuesday, 2nd July, 1889.

THE CHIEF SECRETARY FOR IRELAND (Mr. A. J. BALFOUR, Manchester, E.): I think that the hon. Gentleman dwelt rather too much upon this case as if his present proposal is the only one consistent with the immutable principles of the Party he so ably represents. Yet the Committee is aware that the only difference between the proposal which the Government are now making and the proposal which the hon. Gentleman and his friends made when they were in office in this matter of tests is that Her Majesty's Government are prepared to give up the lay tests, whereas the hon. Gentleman and his friends never hardened their hearts to make that contribution to what he now calls religious equality. I do not say that for the barren pleasure of convicting the right hon. Gentleman of inconsistency. But it is well to remind the hon. Gentleman that three years ago he and his friends did not think that Liberal principles required the sacrifice of the ecclesiastical tests in Scotland. Let it be recollected that what we have to consider is not the relative claims of the Established Church and the other religous communities in Scotland, but whether we should leave it to the Commission to advise what and how far tests ought to be retained, or whether we should summarily abolish them. I believe that in Germany it is not the custom in the case of Protestant Chairs to require theological tests; nevertheless the appointments are made in many cases by the Theological Faculty. In many cases the appointing body is a religious body, and therefore, the same necessity does not exist to see that the new professor takes the test. With regard to Oxford and Cambridge, the hon. Gentleman has to admit that the principle has been accepted by Parliament and rigidly adhered to, that in the case of the theological professors subscription to theological tests should be maintained. The hon. Gentleman suggests that the main reason for this is to be found in the fact that these professors, as a rule, were attached to cathedral foundations. It is true that in some cases there is that connection. But the reason why Parliament has refused to interfere is not the technical difficulty of settling the relations between the professorial and ecclesiastical functions of these gentlemen. The broad view which has influenced every Government is that in dealing with a subject like theology tests are an absolute necessity, unless we wish to see the whole system of theological instruction dissolved into an amorphous and shapeless condition. That brings me to the four subjects mentioned by the hon. Member as being those dealt with by theological professors—namely, Old and New Testament criticism, ecclesiastical history, and dogmatic theology. Now, taking the first two together, though it may possibly be

said that the study of Hebrew and the study of the New Testament are subjects which may be removed altogether from the Theological Faculty and placed in some other Faculty, yet the hon. Member will see that when a religion is based upon documents and when those documents are the whole subject which has to be discussed by the professor, it is not possible to eliminate the dogmatic element from the professorial teaching. It is true, of course, and we know plenty of great examples of it, that the Old Testament and the New Testament have been criticised in the absence, and to the entire neglect, of all theological considerations; but what is the result? The result is that the teaching of the professor who has so dealt with the subject has been in many cases of the theological character which I have just indicated. A Chair conducted by a person of the high qualities, say of M. Renan, would not be a Chair devoted to the advancement of anything which in these islands is called religion. It might be for the advancement of what many regard as sound knowledge, but it would not be religious knowledge. The case is almost equally strong as regards ecclesiastical history. Early ecclesiastical history cannot by any human ingenuity be separated from the question of religion. Will the hon. Gentleman contend that the great series of works on the "Early History of Christianity," which M. Renan has just brought to a conclusion, are works which can be considered as independent of dogmatic theology? You cannot possibly divorce questions of early ecclesiastical history from the question of Christianity, however wide be the definition which you choose to give to that term. I think the hon. Gentleman when he came to the last Chair which he discussed—namely, dogmatic theology—himself felt that his case was rather a weak one. He pictured to us an ideal state of things in which what he was pleased to call free theology should be discussed by the holders of this Chair. I do not know what he means by free theology. If he means the impartial consideration of religious dogma from a purely scientific standpoint, then I object that, in the first place, if you got it, you would not satisfy the people of Scotland, and that, in the second place, you would not get it. Theology without tests would not, as a rule, give you that free discusssion from an impartial standpoint of theological dogma; it would give you a series of theologians, each professing a different creed, none of them accepted by the other as a true representative of scientific theology, and none of them regarded by the Church of Scotland or by any Presbyterian body in Scotland as at all representing their view of what theology ought to be. The hon. Gentleman told us that we need have no fear lest the appointing body would be so foolish as to ignore the general opinion of the people of Scotland and appoint somebody who widely differed from the people of Scotland in theological opinion. If that is his argument, then the whole case of the hon. Gentleman is destroyed. I can understand the argument—and from certain points of view have sympathy with it—in favour of perfectly free scientific inquiry into all these matters; but that is not the point of view of the hon. Gentleman. He wishes to transfer the task of imposing tests on theological professors from the House of Commons to the appointing body. [Mr. Bryce shook his head in dissent.] Well, I do not see how a nod of the hon. Gentleman gets over my argument. As I understand it the hon. Gentleman thought that if Strauss were to come to life again and compete for a Scotch Chair, or M. Renan, those two eminent theologians would be rejected because their views were not in harmony with those of the people of Scotland. That, I contend, is itself imposing a test, and if that test is to be imposed I would rather it was imposed deliberately by Parliament than left to the caprice of the appointing body. The hon. Gentleman, using a dangerous argument, began his speech by saying that tests were useless because they hampered the conscientious man and they did not hamper the unconscientious man; but towards the end of his speech, he said:—"After all, will not every professor whom you have appointed have the strongest motive to teach a theology agreeable to the students, because will not he consider his fees?"

Mr. BRYCE: The right hon. Gentleman will allow me to explain. I did not say that; what I said was the theological professor will have the strongest motive for treating with respect and deference the opinions of those who do not agree

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TO

HANSARD'S PARLIAMENTARY DEBATES,

VOLUME CCCXXXVII.

FIFTH VOLUME OF SESSION 1889.

EXPLANATION OF THE ABBREVIATIONS.

Bills, Read 1°, 2° 3°, or 1ª, 2ª, 3ª, Read the First, Second, or Third Time.—In Speeches, 1R., 2R., 3R., Speech delivered on the First, Second, or Third Reading.—*Amendt.*, Amendment.—*Res.*, Resolution.—*Comm.*, Committee.—*Re-Comm.*, Re-Committal.—*Rep.*, Report.—*Consid.*, Consideration.—*Adj.*, Adjournment or Adjourned.—*cl.*, Clause.—*add. cl.*, Additional Clause.—*neg.*, Negatived.—*M. Q.*, Main Question.—*O. Q.*, Original Question.—*O. M.*, Original Motion.—*P. Q.*, Previous Question.—R. P., Report Progress.—*A.*, Ayes.—*N.*, Noes.—*M.*, Majority.—*1st. Div.*, *2nd. Div.*, First or Second Division.—*l.*, Lords.—*c.*, Commons.

When in this Index a * is added to the Reading of a Bill, it indicates that no Debate took place upon that stage of the measure.

When in the Text a Speech is marked thus *, it indicates that the Speech has been revised.

The subjects of debate have been, as far as possible, classified under "General Headings:"—*e.g.*, ARMY — NAVY — INDIA — IRELAND — SCOTLAND — PARLIAMENT — POOR LAW—POST OFFICE—METROPOLIS — CHURCH OF ENGLAND — EDUCATION — CRIMINAL LAW — LAW AND JUSTICE AND POLICE, &c.

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